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Developing Ethics Codes and Statements of Values

This module has been revised to provide students in Business Administration experience with different approaches to developing codes of ethics. Studying the Pirate Credo (to which this module links) helps students understand that codes embody values. It also clues students into the fact that codes of ethics are of different kinds and fulfill different functions. Exercises have been added to link this module to an Ethics Bowl module and to the module on Moral Ecologies. Finally, it reports on a successful effort by the College of Business Administration of the University of Puerto Rico at Mayaguez to design and implement a statement of values in response to AACSB requirements. This module is being developed as a part of an NSF-funded project, "Collaborative Development of Ethics Across the Curriculum Resources and Sharing of Best Practices," NSF SES 0551779.

Module Introduction

Codes of ethics evoke opposite reactions from people who teach, do research in, or are practitioners of occupational and professional ethics. Some hold that teaching codes of ethics is essential to preparing students for their future careers. Corporations, for example, have come to view codes as the cornerstone of a successful compliance program. Professional societies, such as the **Puerto Rico State Society of Professional Engineers and Land Surveyors**, also make the drafting, revising, and disseminating professional codes of ethics a central part of practicing professional engineering ethics. But many strongly oppose codes because they promote the wrong sorts of attitudes in those who would be influenced by them. As you will see below, philosophical ethicists raise objections to codes because they undermine moral autonomy, lead to uncritical acceptance of authority, and replace moral motives with fear of punishment. These polar stances are grounded in the very different perspectives from which different groups approach codes. But they are also grounded in the fact that codes take many different forms and serve distinct functions. For example, consider the introductory considerations presented in the following:

Different Uses for Codes

Kinds of Codes

- **Professional Codes of Ethics.** Professions such as engineering and accounting have developed codes of ethics. These set forth the ideals of the profession as well as more mundane challenges faced by members. Engineering codes, for example, set forth service to humanity as an ideal of the profession. But they also provide detailed provisions to help members recognize conflicts of interest, issues of collegiality, and confidentiality responsibilities.
- **Corporate Codes of Ethics.** Corporate codes are adopted by many companies to respond better to the Federal Sentencing Guidelines. These codes provide guidelines on particularly sticky issues (When does a gift become a bribe?) They also set forth provisions that express the core values of the corporation. These lengthy codes with detailed provisions support a compliance approach to organizational discipline.
- **Corporate Credos.** Some companies have shortened their lengthy codes into a few general provisions that form a creed. Johnson and Johnson's Credo is famous in this respect and can be found by clicking on the Business Ethics Library link provided above.
- **Statements of Values.** Finally, more mature companies find it useful to express and disseminate their core value commitments in Statements of Values. These form the basis of values-based decision-making. While codes of ethics clearly establish minimum standards of acceptable conduct, Statements of Values outline the aspirations that can drive companies toward continuous improvement.

Functions or Purposes Served by Codes

- **Discipline.** This function gets all the attention. Most codes are set forth to establish clearly and forcefully an organization's standards, especially its minimum standards of acceptable conduct. Having established the limits, organizations can then punish those who exceed them.
- **Educate.** This can range from disseminating standards to enlightening members. Company A's employees learned that anything over \$100 was a bribe and should not be accepted. But engineers learn that their

fundamental responsibility is to hold paramount public safety, health, and welfare. Codes certainly teach minimum standards of conduct, but they can help a community to articulate and understand their highest shared values and aspirations.

- **Inspire.** Codes can set forth ideals in a way that inspires a community's members to strive for excellence. They can be written to set forth the aspirations and value commitments that express a community's ideals. They can point a community toward moral excellence.
- **Stimulate Dialogue.** Engineering professional codes of ethics have changed greatly over the last 150 years. This has been brought about by a vigorous internal debate stimulated by these very codes. Members debate controversial claims and work to refine more basic statements. Johnson and Johnson credits their credo for their proactive and successful response to the Tylenol crisis. Regularly, employees "challenge the credo" by bringing up difficult cases and testing how effectively the credo guides decision-making and problem-solving. The CIAPR's Disciplinary Tribunal cases have served as a focus for discussions on how to interpret key provisions of the organization's code of ethics. The NSPE Board of Ethical Review decisions have also provided an excellent forum for clarifying ethical concepts (public safety, conflict of interest) in the context of cases brought to the board by NSPE members. The BER discusses cases in terms of relevant provisions of the NSPE code. Over the years, the NSPE BER has established a firm foundation for the resolution of difficult ethical cases by developing analogies with cases it has already discussed and clarified.
- **Empower and Protect.** Codes empower and protect those who are committed to doing the right thing. If an employer orders an employee to do something that violates that employee's ethical or professional standards, the code provides a basis for saying, "**No!**". Engineers have refused to carry out directives that place in jeopardy the health and safety of the public based on statements like canon 1 of the CIAPR code. (The NSPE code has similar provisions.) Because codes establish and disseminate moral standards, they can provide the structure to convert personal opinion into reasoned professional judgment. To reiterate, they provide support to those who would do the

right thing, even under when there is considerable pressure to do the opposite.

- **Codes capture or express a community's identity.** They provide the occasion to identify, foster commitment, and disseminate the values with which an organization wants to be identified publicly. These values enter into an organization's core beliefs and commitments forming an identify-conferring system. By studying the values embedded in a company's code of ethics, observing the values actually displayed in the company's conduct, and looking for inconsistencies, the observer can gain insight into the core commitments of that company. Codes express values that, in turn, reveal a company's core commitments, or (in the case of a hypocritical organization) those values that have fallen to the wayside as the company has turned to other value pursuits.

Difficulties with Codes

- The following objections lead philosophers to argue that presenting codes of ethics in ethics classes undermines several key moral attitudes and practices.
- Codes can undermine moral autonomy by habituating us to act from motives like deference to external authority and fear of punishment. We get out of the habit of making decisions for ourselves and fall into the habit of deferring to outside authority.
- Codes often fail to guide us through complex situations. Inevitably, gaps arise between general rules and the specific situations to which they are applied; concrete situations often present new and unexpected challenges that rules, because of their generality, cannot anticipate. Arguing that codes should provide action recipes for all situations neglects the fact that effective moral action requires more than just blind obedience to rules.
- Codes of ethics can encourage a legalistic attitude that turns us away from the pursuit of moral excellence and toward just getting by or staying out of trouble. For example, compliance codes habituate us to striving only to maintain minimum standards of conduct. They fail to motivate and direct action toward aspirations. Relying exclusively on

compliance codes conveys the idea that morality is nothing but staying above the moral minimum.

This module is designed to steer you through these complex issues by having you draft a **Statement of Values** for students at your university. As you work through your Statement of Values, you will learn that codes have strengths and weaknesses, serve different functions, and embody values. To get you started in this process, you will study a defective code, the Pirate Credo. A quick glance is all that is needed to see that codes are "all too human" and need to be approached critically. In a second activity you will identify the values embedded in professional, corporate, and academic codes. Working with these values, you will develop a list upon which your group will build its own Statement of Values in a third activity. Finally, you will construct value profiles that include a general description, sample provisions, value-based challenges, and value principles. These will all contribute to motivating those in your community to commit to and work in concert to realize these values.

How an academic community developed a Statement of Values

A False Start

The faculty of the Arts and Sciences College of University X decided to form a committee to write a code of ethics. This committee met several times during the course of an academic semester to prepare the first draft. When they finished, they circulated copies throughout the college. Then they held a series of public hearings where interested members of the College could criticize the code draft. These were lightly attended and those attending had only a few suggestions for minor changes. However, when the code was placed before the faculty for approval, considerable opposition emerged. For example, a provision discouraging faculty from gossiping was characterized by opponents as an attempt by a hostile College administration, working through the committee, to eliminate faculty free speech. Several opponents expressed opposition to the very idea of a code of ethics. "Does the administration think that our faculty is so corrupt," they asked, "that the only hope for improvement is to impose upon them a set of rules to be mindlessly followed and ruthlessly enforced?" At the end of this debate, the faculty overwhelmingly rejected the code.

Reflections on "A False Start"

- Should codes of ethics be democratically developed from the "bottom up" or should they be authoritatively imposed from the "top down?" Or does this depend on certain characteristics of the community? Maybe corporate managers should have lawyers draft their codes to meet the Federal Sentencing Guidelines; these completed codes should then be implemented throughout the company at all levels. Maybe academic communities should democratically determine their own codes, and if they are unable to do so, then so much the worse for the "very idea" of a code of ethics.
- The **Ethics of Team Work** module presents three ways that lead groups to go off the tracks: Group Polarization, Groupthink, and "Going to Abilene." Do you think that any of these would explain false starts in developing a code of ethics? How can these group pitfalls be overcome?
- Groups are often polarized around different and conflicting ideologies or paradigms. Thomas Kuhn discusses paradigms in the context of scientific debates. When these debates are fueled by conflicting and incompatible paradigms, they can turn acrimonious and prove extraordinarily difficult to resolve. For Kuhn, paradigms articulate and encapsulate different world views; the meanings and experiences shared by one group operating under one paradigm are often not shared by those operating under different paradigms. Members of the Arts and Sciences faculty of University X may have disagreed about the provisions proscribing gossiping because they were operating under different conceptual systems brought about by incommensurable paradigms. If faculty members assumed different meanings for 'gossiping', 'code', and 'discipline', then this would fuel the polarization of non-agreement like that which occurred at University X.
- Cass Sunstein proposes that communities work around ideological or paradigm-driven disputes by developing, in special circumstances, "incompletely theorized agreements." These agreements are brought about by bracketing commitments to a given ideology or paradigm. This allows one side to work on understanding the other instead of marshaling arguments to defend the set of views entailed by its paradigm. So Sunstein's recommendation to the College of Arts and

Sciences of University X would be to suspend commitment to defending the core beliefs of the conflicting ideologies and try to hold discussions at a more concrete, incompletely theorized level. This makes finding common ground easier. When shared understandings are forged, then they can serve as bridges to more complex, more completely theorized positions.

- Looking at this problem from a completely different angle, do codes of ethics require a background of trust? If so, how can trust be built up from within highly diverse and highly polarized communities or groups?
- Finally, can codes of ethics be abused by more ruthless groups and individuals? For example, as those in the College of Arts and Sciences claimed, can codes of ethics be used by those in positions of power to strengthen that power and extend control over others?

A Success Story

- Three years later at the same university, another faculty group set out to construct a code of ethics in order to respond to accreditation requirements. They began with the idea of constructing a stakeholder code.
- First, they identified the stakeholders of the college's activities, that is, groups or individuals who had a vital interest in that community's actions, decisions and policies.
- Second, they identified the goods held by each of these stakeholders which could be vitally impacted by the actions of the college. For example, education represented the key good held by students that could be vitally impacted by the activities and decisions of the College.
- Working from each stakeholder relation and the good that characterized that relation, members of the college began crafting code provisions. Some set forth faculty duties such as keeping regular office hours, grading fairly, and keeping up to date in teaching and research. Others emphasized student duties such as working responsibly and effectively in work teams, adhering to standards of academic honesty, and attending classes regularly.

Because stakeholder codes embody a community's values, the individuals in charge of drafting the code decided that a more direct approach would be to identify the embodied values and refine them into a Statement of Values.

This formal statement could later be developed in different directions including a more detailed compliance code.

Turning their efforts toward preparing a Statement of Value Process, the Business Administration community went through the following steps:

1. They discussed a flawed document, the Pirate Credo. This brought about three positive results: participants came to see how codes embody values, that codes serve different functions, and that codes clarify relations between the insiders and outsiders of a community.
2. Participants examined "bona fide" codes of ethics such as academic codes, codes of honor, corporate codes, and professional codes. Since codes embody values, they developed lists of the values these codes embodied.
3. The sample provisions crafted in the earlier stakeholder code effort were presented so that participants could identify the values these embodied. Previous efforts in developing a stakeholder code could be benchmarked against the codes studied in the previous step. Convergences and divergences were noted and used to further characterize the college's community in terms of its similarities and differences with other communities.
4. In this step, faculty members were asked to reduce the values list to a manageable number of five to seven. This led to the most contentious part of the process. Participants disagreed on the conception of value, the meaning of particular values like justice, and on whether rights could be treated as values.
5. To resolve this disagreement, discussion leaders proposed using ballots to allow participants to vote on values. This process was more than a simple up or down vote. Participants also ranked the values under consideration.
6. After the top five values were identified, efforts were made, in describing each of the remaining values, to find places to include at least components of the values left out. For example, while confidentiality was not included in the final value list, it was

reintegrated as a component of the more general value of respect. Thus, the final values list could be made more comprehensive and more acceptable to the faculty community by reintegrating some values as parts of other, more general values. Another way of picking up values left behind in the voting process was to combine values that shared significant content. Values that did not make it into the final list were still noted with the provision that they could be integrated into subsequent drafts of the Statement of Values.

7. A committee was formed to take each value through a value template. After describing the value, they formulated a principle summarizing the ethical obligations it entailed, crafted sample provisions applying the value, and posed different challenges the value presented to help guide a process of continuous improvement.
8. The committee presented its results to the faculty who approved this first draft Statement of Values
9. The faculty then developed a schedule whereby the Statement of Values would be revisited, expanded, revised, and improved.

Textbox 1: Responding to the Federal Sentencing Guidelines

Recent efforts to develop ethics codes in the academic context for both students and faculty may, in part, stem from the success of ethics compliance programs developed in business and industry in response to the Federal Sentencing Guidelines. Organizational codes of ethics have been integrated alongside other compliance structure and activities to prevent criminal behavior, to detect criminal behavior, and to ensure prompt and effective organizational response once such behavior has been detected.

The following section contains short excerpts from the Federal Sentencing Guidelines. For more details consult the materials referenced in note 5 below.

- "The hallmark of an effective program to prevent and detect violations of law is that the organization exercised due diligence in seeking to prevent and detect criminal conduct by its employees and other agents. Due diligence requires at a minimum that the organization must have taken the following types of steps:

- The organization must have established compliance standards and procedures to be followed by its employees and other agents that are reasonably capable of reducing the prospect of criminal conduct.
- Specific individual(s) within high level personnel of the organization must have been assigned overall responsibility to oversee compliance with such standards and procedures.
- The organization must have used due care not to delegate substantial discretionary authority to individuals whom the organization knew, or should have known through the exercise of due diligence, had a propensity to engage in illegal activities.
- The organization must have taken steps to communicate effectively its standards and procedures to all employees and other agents, e.g., by requiring participation in training programs or by disseminating publications that explain in a practical manner what is required.
- The organization must have taken reasonable steps to achieve compliance with its standards, e.g., by utilizing monitoring and auditing systems reasonably designed to detect criminal conduct by its employees and other agents and by having in place and publicizing a reporting system whereby employees and other agents could report criminal conduct by others within the organization without fear of retribution.

Recommendations by the Federal Sentencing Guidelines for an Effective Compliance Program

- Appointing individuals to serve as ethics or compliance officers
- Developing corporate credos and codes of ethics that effectively communicate an organization's ethical standards and expectations to employees.
- Designing ethics training programs for all employees
- Designing and implementing monitoring and auditing systems
- Designing and implementing an effective system of punishments and sanctions. These must be accompanied by investigative procedures that respect employee due process rights.

Textbox 2: Compliance Oriented Codes and Programs Versus Values Oriented Codes and Programs

Compliance Strategy

1. The initial and still probably the most prevalent method for responding to the Federal Sentencing Guidelines is the compliance strategy. This strategy is based on three interrelated components:
2. **Rules:** Compliance strategies are centered around strict codes of ethics composed of rules that set forth minimum thresholds of acceptable behavior. The use of rules to structure employee action does run into problems due to the gap between rule and application, the appearance of novel situations, and the impression that it gives to employees that obedience is based on conformity to authority.
3. **Monitoring:** The second component consists of monitoring activities designed to ensure that employees are conforming to rules and to identify instances of non-compliance. Monitoring is certainly effective but it requires that the organization expend time, money, and energy. Monitoring also places stress upon employees in that they are aware of constantly being watched. Those under observation tend either to rebel or to automatically adopt behaviors they believe those doing the monitoring want. This considerably dampens creativity, legitimate criticism, and innovation.
4. **Disciplining Misconduct:** The last key component to a compliance strategy is punishment. Punishment can be effective especially when establishing and enforcing conduct that remains above the criminal level. But reliance on punishment for control tends to impose solidarity on an organization rather than elicit it. Employees conform because they fear sanction. Organizations based on this fear are never really free to pursue excellence.

Values Orientation

1. To facilitate comparison, three correlative but different elements to Values-Based or aspirationnal approaches will be identified.
2. **Development of Shared Values:** Using a process similar to the one described above, a company develops a Statement of Shared Values. These provide guidelines that replace the hard and fast rules of a compliance code. Statements in values-oriented codes play a different logical function than statements in compliance codes. "Principles of

Professional/Organizational Conduct" in compliance codes specify circumstances of compliance: time, agent, place, purpose, manner, etc. These provide sufficient content to set forth principles of professional conduct as rules that can be violated. This, in turn, allows them to be backed by punishment for violation. "Ideals of the Profession" (or organization) set forth a community's shared aspirations. These are pitched at a level well above and beyond the minimum. Communities can and should define themselves as much by their aspirations as by their threshold standards.

3. **Support for Employees:** Since Statements of Values set forth excellences or aspirations, the role of the organization changes from monitoring and then punishing misbehavior to finding ways of opening avenues for employees to realize key values in their day to day activity. Excellence is not something to be reached overnight. It requires rethinking basic motivations, attitudes, beliefs, and goals. Companies need to identify obstacles to achieving ideals and then develop support structures to help those who seek to realize ideals. Values-based approaches change from punishing conduct that falls below the minimum to providing collective support to those who strive for the excellent.
4. **Locking in on Continual Improvement:** The philosopher, John Dewey, characterizes moral responsibility as the drive to better ourselves. The particular twist in Dewey's approach is to find ways of folding what has been learned from the past into meeting new challenges that arise in the future. This involves changing habits and, ultimately, changing character. Continual improvement is the ultimate goal of corporations oriented toward excellence. The values these "moral ecologies" identify structure and channel this endeavor. What is needed at this stage is to develop concrete programs and strategies for identifying obstacles to excellence, removing them, and remaining on track for excellence.
5. To summarize, some companies identify a compliance strategy where they set forth rules that establish minimum levels of acceptable conduct, monitor compliance, and punish non-compliance. Others, value-oriented or aspiration-oriented companies, identify core values or aspirations (by reflecting on community values and finding them embedded in extant codes of ethics), develop programs and structures

to support those who strive for these values, and work to lock in a program of continual improvement or betterment.

6. **Something to think about.** Compliance approaches work best in what of company, organization or moral ecology. (Think about this in terms of the central or core commitments such as those in finance-, customer-, and quality-driven companies.) Values-based approaches work best in what kind of company, organization or moral ecology? How does one transition from compliance to values-based approaches? How does one integrate the two?

Exercise 1: Evaluating the Pirate Credo

Read the Pirate Credo. Then answer the following questions individually

- What is good about the Pirate Credo?
- What is bad about the Pirate Credo?
- What is the purpose served by the Pirate Credo? For the Pirate Community? For non-members?

Exercise 2: Statement of Value Challenge

- Is the SOV comprehensive? (For example, can you think of a case that it does not adequately cover? Are there values that it leaves out in the sense that they cannot be subsumed by one or more SOVs?)
- Are the value descriptions clear? For example, if you have confused values on the multiple choice or matching sections of your exams, is this because the descriptions need reworking and clarifying?
- Last year, an ADEM stakeholder group suggested that values should be paired with one another. For example because integrity is a meta-value it should be paired with other values like trust. Or should trust and responsibility be paired with one another. In this case, should the SOV be expanded to explore the relations between different values?
- When ADEM stakeholders identified their values in 2005, they prioritized and ranked them. Justice was ranked highest followed by responsibility, respect, trust, and integrity. Should this hierarchy or ranking be changed? For example, last year stakeholders suggested

that integrity should be ranked first because it is a meta-value that talks about the relation between other values.

Exercise 3: Developing Corporate Codes of Ethics

1. Ethics Bowl Corporations. You have been assigned corporations corresponding to two of the six ethics bowl cases. For your presenting corporation, you will be developing a partial code of ethics. For the commenting corporation, you need to familiarize yourself with the moral ecology of the corporation, its needs, and be ready to comment on the code offered by another group.
2. What kind of moral ecology is predominate in your corporation? Is it financial-, customer-, or quality-driven. Look at how the type of moral ecology structures other organizational activities: allocation of praise and blame, exchange of information, treatment of dissenting opinions, and central of moral concerns. All of these issues need to be addressed directly or indirectly in your code.
3. What is the ethical challenge that is highlighted in the ethics bowl scenario based on your case. For this information go to the "Ethics Bowl in the Environment of the Organization" module. m21191.
4. What functions are you addressing in your code outline? Looking above, these would include educate, inspire, create dialogue, discipline, empower, secure and express identity.
5. Develop within the time available a sketch of a code. This could be a section of a compliance code, a corporate credo, or a statement of values. In choosing your form, think carefully about the function(s) of your code. Have something that you can present, informally, for around 3 to 5 minutes.

Exercise 4: Evaluating Bona Fide Codes of Ethics

Form small work teams of four to five individuals. Carry out the following four steps and report your results to the rest of the group.

1. **Review** a few sample codes per team.
2. **List** the values you identify in the codes. Express each value as a word or in as few words as possible.

3. **Identify** any recurring values.
4. **Record** and post the list of values.

Exercise 5: Do a Statement of Values for Students at Your University

In this third exercise, work with your group to develop a refined list of five to seven values. You can refine your list by integrating or synthesizing values, grouping specific values under more general ones, and integrating values into others as parts. Do your best to make your list comprehensive and representative.

1. **Brainstorm:** list the values for your group. Keep in mind that values are multi-dimensional. For example, in the academic context, the values will break down into dimensions corresponding to stakeholder: faculty, students, administration, and other academic stakeholders.
2. **Refine:** reduce your list to a manageable size (5-7). Do this by rewording, synthesizing, combining, and eliminating.
3. **Post:** share your list with the entire group.
4. **Revise:** make any last minute changes.
5. **Combine:** a moderator will organize the lists into a ballot
6. **Vote:** Each person ranks the top five values

Exercise 6--Conveying Our Values: Crafting a Values-Based Code

Each value in your Statement of Values needs to be accompanied by a Value Profile. Give a description of the value in everyday, non-technical terms. Think concretely. For example, those who exemplify your value behave in a certain fashion, exhibit certain commitments, pursue certain projects, and show certain attitudes and emotions. Try to think of general guidelines to keep in mind when working to realize your value. Finally, values challenge us because portray our aspirations. Think of specific ways values challenge us. For example, students may set for themselves the challenge of working responsibly in teams. They can further spell out what kinds of actions and attitudes this might

require. Faculty members might set for themselves the challenge of grading more fairly. This could require actions like developing rubrics and refining exams to make them clearer. The purpose of this fourth exercise is to provide content to your statement of values and begin its implementation in your community. The following steps ennumerated below will help.

1. **Value:** Responsibility
2. **Description:** a responsible person is a person who...
3. **Principle:** The faculty, students, and staff of the college of business Administration will...
4. **Commitments:** Keep office hours, do your fair share in work teams, divide work into clear and coordinated tasks, tec.

Exercise 7: Creating Awareness of the UPRM College of Business Administration Statement of Values

This exercise provides you an opportunity to study and discuss the UPRM College of Business Administration Statement of Values (available via the PREREQUISITE LINKS). Your task consists of the following tasks:

- Read the entire UPRM CBA Statement of Values (individually)
- Discuss the particular section/value assigned to your group and briefly describe what commitments or challenges does this value present for the students, faculty and/or staff of the CBA
- List the most important commitments or challenges as precise and concise principles

Exercise 8: Assessing the UPRM College of Business Administration Statement of Values

This exercise offers four scenarios in academic integrity. Your job is to discuss each scenario in terms of the values listed in the UPRM College of Business Administration Statement of Values (available via the PREREQUISITE LINKS).

Marta Acevedo, a business administration student, has a report due tomorrow. She has been overwhelmed for the last few weeks with assignments from other classes and doesn't really have time to complete this exercise. She discovers that her roommate took this same class the previous semester and has a complete report on disk. She considers using her roommate's report. Should she? What would you do if you were her?

- Is Marta threatening any of the values listed in the ADEM SOV? Which ones?
- What can be done prevent this kind of problem from arising in the first place? Should Marta have planned her course load better when registering? Can teachers coordinate to prevent overloading students with the same deadlines? Whose fault is this? The students? The teachers? The system?
- Can this problem be posed as a conflict between ADEM values and other values held by students and teachers? If so, what are values that are in conflict? How can these conflicts be addressed?
- Do you think the ADEM SOV adequately addresses this problem? If not, how can it be improved?

You are head of your department. A recent study has revealed that plagiarism, which is a university-wide problem, is especially bad in your department. Imagine your relief when a member of your faculty brings you his latest software project, a super-effective and comprehensive anti-plagiarism software program. This program does everything. It detects subtle changes in style in student papers. Its new search engine quickly connects to existing online paper data bases, greatly expanding the ability of a professor to detect the sources from which their students have copied. Furthermore, it allows professors to upload papers and projects from past semesters and provides fast and flexible indexing to help them identify recycled student work. Professors can zero in on students using recycled papers, and the former students who have become their suppliers. Following the recent lead of Ohio State University, you can now revoke the degrees of past students who participate in this version of academic dishonesty. In short, this new and exciting software package allows you to monitor the

work of present and past students to a degree thought impossible even in the recent past. “Plagiarism,” your colleague tells you, “will now become a thing of the past.”

- Does this anti-plagiarism program threaten any of the values in the ADEM SOV? If so, which values?
- Is the department chairperson treating students disrespectfully by adopting and implementing the anti-plagiarism software? Can faculty treat students disrespectfully as "justifiable" retaliation for student cheating and plagiarizing? Do two wrongs make a right?
- What is the cause of plagiarism? Do students do it out of ignorance of standards and practices of documentation and acknowledgment? Do they do it because they procrastinate until they do not have time to do the assignment properly? Do students resort to plagiarism because they have too many conflicting obligations such as family, job, large course loads, etc.?

You teach an advanced course in Engineering Economics that has both graduate and undergraduate students. At the end of the semester the students turn in a group project that comprises 40% of their grade. One of the groups complains to you that only 4 out of the 5 members have done any work. The fifth student, the one who allegedly has done no work, is an undergraduate. The others are graduate students. You talk with the undergraduate who claimed that she tried to involve herself in the group activities but was excluded because she was an undergraduate. What should you do?

- ADEM faculty have identified students not working together effectively in groups as a major concern. Do you find this a problem? What do you think are the causes of students not participating effectively in work groups?
- Assume that the teacher in this case is committed to implementing the ADEM SOV. Which values are at play in this case? Design an action for the teacher that realizes these values?
- Assume you are a member of this student work group. What can groups do to ensure that every member is able to participate fully? What do group members do to exclude individuals from participating?

You are studying frantically for your exam in a computer engineering course. It will be very difficult. But your roommate, who is also taking the course and has the exam tomorrow, seems unconcerned. When you ask why, he tells you that he has a copy of the exam. Apparently, a group of students in the class found out how to hack into the professor's computer and download the exam. (They installed a Trojan horse called Sub-Seven into the professor's computer which allows unauthorized access; then they searched through the professor's files, found the exam and downloaded it.) Your roommate has the exam in his hand and asks you if you would like to look at it. What should you do?

- A group of students in a computer ethics class created a survey that asked students if they would avail themselves of exams obtained through means such as that described in the scenario above. Sixty percent of the respondents said that they would. Compare this to the value commitments expressed in the ADEM SOV? Is there a gap between aspiration and behavior? What can be done to reduce this gap?
- Suppose you took the exam. Would this have any long term effects on your character? Would acting dishonestly this time make it easier to do so in the future?
- Suppose you wish to uphold standards of academic integrity in this case and not take the exam. Should you turn your roommate in to the teacher? Would keeping this exam theft a secret undermine any of the UPRM ADEM values? If so, which ones?

You have now discussed some or all of the above cases in terms of the ADEM Statement of Values. What do you think are the strengths of this document? What are its weaknesses? Do you recommend any changes? What are these?

Sources for Cases

- Case 1 has been developed by William Frey, Chuck Huff, and José Cruz for their book, Good Computing: A Virtue Approach to Computer Ethics. This book is currently in draft stage and is under contract with Jones and Bartlett Publishing Company.

- Cases 2 and 3 were developed by UPRM faculty teams from the College of Engineering during workshops held for the ABET 2001 Steering Committee and the Department of Industrial Engineering. These workshops took place April 6, 2001 and May 14, 2001.
- Case 4 has been modified from “The Plagiarism Detector” written by Moshe Kam. It can be found at the beginning of the ethics chapter in Practical Engineering Design, edited by Maja Bystrom and Bruce Eisenstein. Moshe Kam. “The Plagiarism Detector”, in Practical Engineering Design, edited by Maja Bystrom and Bruce Eisenstein. Boca Raton, FLA: CFC Press, 2005: 27-28.

Assessment Tools

Ethics Across the Curriculum Matrix

<https://cnx.org/content/m14319/>

This table will help you
document your class
discussion of the ADEM
Statement of Values.

Muddy Point Exercise

<https://cnx.org/content/m14319/>

Clicking on this media file
will open a word format
for the Muddiest Point
Exercise. Students are
invited to discuss the
strongest and weakest
facets of the ADEM
Statement of Values.

Module Assessment Form

<https://cnx.org/content/m14319/>

Clicking on this media file
will open a general
module assessment form
taken from Michael Davis'
IIT EAC workshop. This
form will help you assess
the SOV activity as well
as other EAC modules.

This presentation is composed of slides previously given before the AACSB, ADEM faculty at UPRM, and material published by the authors in Technology and Society Magazine. (See bibliography below)
<https://cnx.org/content/m14319/>

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Values-Based Decision-Making in Gilbane Gold

This module uses the National Institute for Engineering Ethics (NIEE) video, Gilbane Gold, to introduce business students to the four ethical themes raised by the Association to Advance Collegiate Schools of Business (AACSB): Ethical Leadership, Ethics in Decision-Making, Social Responsibility, and Corporate Governance. Students will find profiles of five key values in business ethics taken from the University of Puerto Rico's College of Business Administration Statement of Values: justice, responsibility, respect, trust, and integrity. Then they will view the 23 minute video, Gilbane Gold. From the vantage point of David Jackson (the young engineer portrayed in the video), they will use these values to resolve the decision point facing him at the end of the video. Students will also find exercises stemming from Gilbane Gold that tie into the remaining AACSB themes. This module has been developed as a part of the NSF-funded EAC Toolkit, SES 0551779. It also ties in with organizations that employ values-based decision-making approaches designed to realize a community's professed ethical values.

I. Module Introduction

The Federal Sentencing Guidelines introduced in the early 1990's have transformed the way businesses respond to ethics. Formerly, corporations relied on compliance measures which became activated only after wrongdoing occurred. Violations occurred and compliance responses consisted of identifying and punishing those responsible. But the Federal Sentencing Guidelines push corporations toward a much more proactive stance; if a corporation is found guilty of law violation, its punishment is determined by the measures the corporation has already implemented to prevent the crime as well as the measures the corporation develops in response to the crime to mitigate it and prevent future reoccurrences. Working to prevent crime, accepting responsibility for crimes that could not be prevented, and learning from past mistakes all serve to "flag" corporate intention. In other words, corporations can demonstrate good intentions by documenting measures implemented to prevent crime and by showing a "responsive adjustment" to crimes they could not prevent.

It is in this new corporate context that corporations have begun to adopt values-based decision making. Instead of setting forth rules that outline minimum levels of forced compliance, they now ask employees to work beyond the moral minimum and seek occasions to actually realize or enhance moral value. In the decision making context, employees ask: (1) What can I do to make this a more just environment? (2) How do I go about respecting my co-workers? and (3) How do I identify and carry out my responsibilities, including social responsibilities, in my daily work?" These questions, representing instances of values-based decision-making, serve to change your focus from getting by with the moral minimum to realigning your moral and workplace efforts toward moral excellence.

In this module you will learn about ethical leadership, ethical decision-making, corporate social responsibility, and corporate governance. The occasion for this learning is the classical ethics video, "Gilbane Gold." You will view the video and practice values-based decision-making from within the role of David Jackson, the young engineer around whom the narrative of this video is built. To get you started, you will use the values portrayed in the University of Puerto Rico's College of Business Administration Statement of Values. Module sections will outline what you will be doing and what you need to know as well as provide opportunities for you to reflect on what you have learned upon completion of this module.

II. What you need to know...

Value-Based Decision Making

In value-based decision-making, you use moral values to pose problems and solutions. For example, problems can be posed as conflicts between values (moral vs. non-moral or moral vs. moral), lack of information about how to realize or maintain values, and situations where key values need to be defended. The point in value-based decision making is to design solutions that realize the maximum number of values possible by integrating them, drawing successful compromises between them, or choosing to act upon the most important value given the situation. In this module, you will be working from within David Jackson's position to design a solution to his problem that best responds to the value needs in his situation.

Gilbane Gold

- You are David Jackson a young engineer working for the computer manufacturer, Z-Corp. Your studies into the waste emissions of Z-Corp indicate that they are a little bit over the borderline of what is legally acceptable in the Gilbane metropolitan area. Two further issues complicate your findings. (1) Gilbane draws sludge from the river and sells it to farmers to cover their fields; if heavy metals are present in this sludge, they will be passed on to consumers who eat the vegetables grown in fields covered with this "Gilbane Gold." This could produce long and short term health problems for the Gilbane community. (2) Z-Corp has just entered into a new agreement with a Japanese company that will produce a five-fold increase in demand for their product. While this will also increase their emissions of heavy metals into the water supply by the same amount, it will not violate city regulations because these regulations only take into account the concentration of heavy metals in each discharge. Z-Corp merely dilutes the heavy metals dumped into Gilbane's water supply to reflect acceptable concentration levels. David Jackson holds that this loophole in environmental regulations could endanger the health and safety of the citizens in the Gilbane. But he has trouble sharing these concerns with his supervisors, Diane Collins, Phil Port, and Frank Seeders.
- David (you) has made several efforts to make his concerns known to Z-Corp officials, including Phil Port, Frank Seeders, and Diane Collins. Their response is that spending money on increased pollution control measures will threaten Z-Corp's thin profit margin. Diane puts the issue even more strongly when she says that Z-Corp's social responsibility is to provide the Gilbane community with good jobs and to obey local environmental regulations. If the city wants stricter regulations, then **they** need to pass them through the legislative process. But taking proactive measures on this count goes far beyond Z-Corp's ethical and social responsibilities to the Gilbane community.
- You are David. What values do you see involved in this situation? Design a solution that best preserves and integrates them.

Partial List of Characters

1. **David Jackson:** Young engineer whose measurements show that Z-Corp's emissions into the Gilbane water supply barely exceed local

- standards. He expresses concern to his supervisors on the impact on the safety and health of the local community.
2. **Diane Collins:** David's supervisor who is under strong pressure to maintain the Z-Corp Gilbane plant's thin profit levels. She is concerned about environment responsibility but defines it as staying within the limits of the law as put forth by the Gilbane community. Gilbane sets for the law and Z-Corp is responsible for staying within its limits. If the law is inadequate, then Gilbane is responsible for changing it.
 3. **Tom Richards:** Environmental engineer hired to measure Z-Corp's heavy metal emissions into the Gilbane water supply. Richards warns David that he bears ultimate responsibility for Z-Corp's emissions into the Gilbane water supply.
 4. **Phil Port:** Z-Corp's official in charge of the company's compliance with environmental regulations. He calls David during the TV documentary to claim that it portrays him as an "environmental rapist."
 5. **Frank Seeders:** Frank is the point man on helping to gear up Z-Corp's operations to meet the new demand created by their recent venture with a Japanese company. He asks David to help him streamline Z-Corp's manufacturing process.
 6. **Maria Renato:** Local reporter who produces documentary exposing Z-Corp's potentially dangerous emissions. She has prepared her report based on documentation provided by David Jackson.

Statement of Values List

1. **Justice / Fairness:** Be impartial, objective and refrain from discrimination or preferential treatment in the administration of rules and policies and in its dealings with students, faculty, staff, administration, and other stakeholders.
2. **Responsibility:** Recognize and fulfill its obligations to its constituents by caring for their essential interests, by honoring its commitments, and by balancing and integrating conflicting interests. As responsible agents, the faculty, employees, and students of the college of business Administration are committed to the pursuit of excellence, devotion to the community's welfare, and professionalism.
3. **Respect:** Acknowledge the inherent dignity present in its diverse constituents by recognizing and respecting their fundamental rights.

these include rights to property, privacy, free exchange of ideas, academic freedom, due process, and meaningful participation in decision making and policy formation.

4. **Trust:** Recognize that trust solidifies communities by creating an environment where each can expect ethically justifiable behavior from all others. While trust is tolerant of and even thrives in an environment of diversity, it also must operate within the parameters set by established personal and community standards.
5. **Integrity:** Promote integrity as characterized by sincerity, honesty, authenticity, and the pursuit of excellence. Integrity shall permeate and color all its decisions, actions and expressions. It is most clearly exhibited in intellectual and personal honesty in learning, teaching, mentoring and research.

III. What you are going to do...

1. Watch the video and make sure you understand the situation from David's point of view. At the end David makes his decision. You should be open to the possibility that there may be other decisions that can be taken in this situation that may be better from a moral point of view.
2. What is David's problem? Try formulating it in terms of values that are under threat and conflicts between values. You may even want to identify information needs relevant to solving this problem?
3. What solutions do different individuals in the video recommend to David? How good are they in terms of realizing or protecting key moral values? Does David (and the video) pay sufficient attention to these different recommendations? Does he miss better value-integrative solutions?
4. Make your decision. Defend it in terms of key moral values. Use the values provided above in the UPRM College of Business Administration's Statement of Values.
5. Give special attention to the links provided in this module. Are there solutions to David's problem not mentioned in the video?

IV. Exercise: Problem Solving With Gilbane Gold

Directions

Copy-past this exercise and complete in your groups. If you have any questions on the stages of problem solving, consult the module "Three Frameworks for Ethical Decision Making and Good Computing Reports," module m13757.

Problem Specification

- Classify your problem. Is it a conflict between values, a conceptual disagreement, a factual disagreement, or an impending harm. Provide a one or two sentence justification for your problem classification
- Frame your problem in three different ways. How does Gilbane Gold appear from the frame of an environmental engineer? From the standpoint of a local farmer concerned about soil contamination? From the standpoint of a manager who is under pressure to maintain razor-thin profit margins as well as authority over those under her supervision?

Solution Generation

- Set 10 solutions as a quota. Then individually brainstorm as quickly as possible 10 solutions.
- Share your solutions with your group members. Make a special effort to suspend all criticism until all the solutions of all the group members have been listed.
- Refine your solution list into three solutions, two good ones and one bad one. Refine by developing a Plan A, Plan B, and Plan C sequence. Integrate similar solutions. Condense your bad solutions into one bad solution that will serve as a useful basis of comparison.
- Work first toward a value integrative solution. If this is not possible, seek a value compromise. As a last resort prioritize your values and trade off the less for the more important relative to the situation at hand.

Solution Testing

- Test ethically three solutions, your two best solutions and a bad one to serve as a basis of comparison.

- Use the three ethics tests: reversibility, harm, and publicity. You can substitute a rights test for reversibility and a values or virtues test for publicity.
- Tie breakers: meta tests. If tests converge on a solution, this is an independent signal of solution strength. If the tests diverge on a particular solution alternative, this is an independent sign of the solution's weakness.
- Is your best solution feasible? Ask this question globally.

Solution Implementation

- In this stage, you want to look carefully at the situation in which you are going to realize your solution. Are there factors in this situation that will constrain or limit implementation? What are they, and how will they do this?
- Are there factors present in the situation that will aid the implementation of one or the other of your good solutions? What are they?
- What are your resource constraints? Do you have enough time, money, or materials to realize your ethical solution? If not, are the constraints negotiable?
- What are your interest or social constraints? Are there individuals or groups who have agendas affected by your solution? Given these agendas will they be allies or opponents? How can you win opponents over your side? Think here about government regulations, supervisor interests, corporate or business procedures, community traditions, etc.
- Important in Gilbane Gold is whether your solution is technical feasible and how your solution will affect the chip-manufacturing process. Is your solution technically feasible? Does it require developing new technology or acquiring expensive technology? Are these technical or manufacturing constraints negotiable, that is, flexible or rigid?

V. Conclusion

More and more, business ethics is concentrating on four general themes or issues. In this section, you will use the video, “Gilbane Gold,” to reflect on

these different themes. Consider this your first incursion into business ethics. Most important, remember that ethics forms a central part of everyday business practice and is essential to good business.

Ethical Leadership: In terms of the values mentioned in the SOV, discuss and rate the following characters in terms of the leadership skills and qualities they exhibit:

- Diane Collins
- David Jackson
- Phil Port
- Tom Richards
- Frank Seeders

Social Responsibility:

David reminds Diane that corporations like Z-Corp are responsible for the health and safety impacts of their operations. Diane disagrees placing more emphasis on following the law and serving the community by creating economic opportunity and jobs. Who sets for the better argument? Using these positions as a springboard, set forth your own conception of corporate social responsibility.

Corporate Governance:

Toward the end of the video, David goes to local reporter, Maria Renato, and provides her with inside information on his and Tom Richards's environmental and safety concerns. Was this a necessary action? Did David have other options which would have allowed him to work within Z-Corp for an effective response to his concerns? How do engineers advocate within for-profit corporations for including ethical values into corporate decisions? What do real world corporations do to recognize and respond to dissenting professional opinions held by their employees?

Notes on Gilbane Gold for Fall 2013

<https://cnx.org/content/m15783/>

Values in Gilbane Gold Handout

<https://cnx.org/content/m15783/>

This handout for students
provides exercises based

on Gilbane Gold that introduces the three AACSB business ethics themes: ethical leadership, ethical decision-making, and social responsibility.

Virtues for ADMI 3405

<https://cnx.org/content/m15783/>

Clicking on this file are the virtues worked out in the previous module. Use these to carry out the values-based decision making exercise in Gilbane Gold.

Presentation on Values Based Decision Making

<https://cnx.org/content/m15783/>Working from an analogy between design and ethics problem-solving, this presentation provides values and tests for interdisciplinary problem-solving in business, engineering, and science.

Ethics Assessment Activity: Pre and Post Test

<https://cnx.org/content/m15783/>This is a short pre and post test to examine short term impact of the module.

Solution Brainstorm for Gilbane Gold

<https://cnx.org/content/m15783/>

Ethics of Teamwork

This module developed for classes in Engineering and Computer Ethics at UPRM employs a value/virtue approach to encourage students to reflect on the ethical issues and problems that arise in group or team work. Throughout the class, students are given group assignments for which they receive group grades that are distributed to each individual member. The module then provides students with ethical goals to grade them as they execute these assignments. Student groups develop strategies for realizing these goals. They also envision pitfalls that often prevent groups from working cooperatively such as the Abilene Paradox, groupthink, and group polarization. Finally, students develop an assessment process based on these goals that they use to complete a group self-evaluation at the end of the semester. The primary purpose of this module is to use group work and cooperative learning as an occasion to reflect on the different ethical issues and problems that arise in collective activity. This module is being developed as a part of an NSF-funded project, "Collaborative Development of Ethics Across the Curriculum Resources and Sharing of Best Practices," NSF SES 0551779.

- Ethics of Team Work
- William J. Frey (working with material developed by Chuck Huff at St. Olaf College)
- Centro de la Etica en las Profesioness
- University of Puerto Rico - Mayaguez

Module Introduction

Much of your future work will be organized around group or team activities. This module is designed to prepare you for this by getting you to reflect on ethical and practical problems that arise in small groups like work teams. Four issues, based on well-known ethical values, are especially important. How do groups achieve justice (in the distribution of work), responsibility (in specifying tasks, assigning blame, and awarding credit), reasonableness (ensuring participation, resolving conflict, and reaching consensus), and honesty (avoiding deception, corruption, and impropriety)? This module asks that you develop plans for realizing these moral values in your group work this semester. Furthermore, you are provided with a list of some of the more common pitfalls of group work and then asked to devise strategies for avoiding them. Finally, at the end of the semester, you will review your goals and strategies, reflect on your successes and problems, and carry out an overall assessment of the experience.

Module Activities

1. Groups are provided with key ethical values that they describe and seek to realize thorough group activity.
2. Groups also study various obstacles that arise in collective activity: the Abilene Paradox, Groupthink, and Group Polarization.
3. Groups prepare initial reports consisting of plans for realizing key values in their collective activity. They also develop strategies for avoiding associated obstacles.
4. At the end of the semester, groups prepare a self-evaluation that assesses success in realizing ethical values and avoiding obstacles.
5. Textboxes in this module describe pitfalls in groups activities and offer general strategies for preventing or mitigating them. There is also a textbox that provides an introductory orientation on key ethical values or virtues.

A Framework for Value-Integration

The objective of this module is to teach you to teach yourselves how to work in small groups. You will develop and test procedures for realizing value goals and avoiding group pitfalls. You will also use Socio-Technical System Analysis to help you understand better how to take advantage of the way in which different environments enable groups activities and to anticipate and minimize the way in which other environments can constrain or even oppose group activities.

- **Discovery:** "The goal of this activity is to 'discover' the values that are relevant to, inspire, or inform a given design project, resulting in a list of values and bringing into focus what is often implicit in a design project." [Flanagan et al. 323]. Discovery of group values is a trial and error process. To get started, use the ADEM Statement of Values or the short value profiles listed below.

- **Translation:** "[T]ranslation is the activity of embodying or expressing...values in a system design. Translation is further divided into operationalization, which involves defining or articulating values in concrete terms, and implementation which involves specifying corresponding design features" [Flanagan et al., 338]. You will operationalize your values by developing profiles. (See below or the ADEM Statement of Values for examples.) Then you will implement your values by developing realization procedures. For example, to realize justice in carrying out a group task, first we will discuss the task as a group, second we will divide it into equal parts, third, forth, etc.
- **Verification:** "In the activity of verification, designers assess to what extent they have successfully implemented target values in a given system. [Strategies and methods] may include internal testing among the design team, user testing in controlled environments, formal and informal interviews and surveys, the use of prototypes, traditional quality assurance measures such as automated and regression-oriented testing and more" [Flanagan et al., 344-5]. You will document your procedures in the face of different obstacles that may arise in your efforts at value-realization. At the end of your semester, you will verify your results by showing how you have refined procedures to more effectively realize values.

The framework on value realization and the above-quoted passages can be found in the following resource: M. Flanagan, D. Howe, and H. Nissenbaum, "Embodying Values in Technology: Theory and Practice," in **Information Technology and Moral Philosophy**, Jeroen van den Hoven and John Weckert, Eds. Cambridge, UK: Cambridge University Press, 2008, pp. 322-353.

Value Profiles for Professional Ethics

1. **Definition** - A **value** "refers to a claim about what is worthwhile, what is good. A value is a single word or phrase that identifies something as being desirable for human beings." Brincat and Wike, *Morality and the Professional Life: Values at Work*
2. **Reasonableness** - Defusing disagreement and resolving conflicts through integration. Characteristics include seeking relevant information, listening and responding thoughtfully to others, being open to new ideas, giving reasons for views held, and acknowledging mistakes and misunderstandings. (From Michael Pritchard, *Reasonable Children*)
3. **Responsibility** - The ability to develop moral responses appropriate to the moral issues and problems that arise in one's day-to-day experience. Characteristics include avoiding blame shifting, designing overlapping role responsibilities to fill responsibility "gaps", expanding the scope and depth of general and situation-specific knowledge, and working to expand control and power.
4. **Respect** - Recognizing and working not to circumvent the capacity of autonomy in each individual. Characteristics include honoring rights such as privacy, property, free speech, due process, and participatory rights such as informed consent. Disrespect circumvents autonomy by deception, force, or manipulation.
5. **Justice** - Giving each his or her due. Justice breaks down into kinds such as distributive (dividing benefits and burdens fairly), retributive (fair and impartial administration of punishments), administrative (fair and impartial administration of rules), and compensatory (how to fairly recompense those who have been wrongfully harmed by others).
6. **Trust** - According to Solomon, trust is the expectation of moral behavior from others.
7. **Honesty** - Truthfulness as a mean between too much honesty (bluntness which harms) and dishonesty (deceptiveness, misleading acts, and mendaciousness).
8. **Integrity** - A meta-value that refers to the relation between particular values. These values are integrated with one another to form a coherent, cohesive and smoothly functioning whole. This resembles Solomon's account of the virtue of integrity.

Exercise 1: Developing Strategies for Value Realization

Directions

1. Identify value goals. Start with two or three. You can add or subtract from these as the semester progresses.
2. Give a brief description of each using terms that reflect your group's shared understandings. You may use the descriptions in this module or those in the ADEM Statement of Values but feel free to modify these to fit your group's context. You could also add characteristics and sample rules and aspirations.

3. For each value goal, identify and spell out a procedure for realizing it. See the examples just below for questions that can help you develop value procedures for values like justice and responsibility.

Examples

- Design a plan for realizing key moral values of team work. Your plan should address the following value-based tasks
- How does your group plan on realizing justice? For example, how will you assign tasks within the group that represent a fair distribution of the work load and, at the same time, recognize differences in individual strengths and weaknesses? How does your group plan on dealing with members who fail to do their fair share?
- How does your group plan on realizing responsibility? For example, what are the responsibilities that members will take on in the context of collective work? Who will be the leader? Who will play devil's advocate to avoid groupthink? Who will be the spokesperson for the group? How does your group plan to make clear to each individual his or her task or role responsibilities?
- How does your group plan on implementing the value of reasonableness? How will you guarantee that each individual participates fully in group decisions and activities? How will you deal with the differences, non-agreements, and disagreements that arise within the group? What process will your group use to reach agreement? How will your group insure that every individual has input, that each opinion will be heard and considered, and that each individual will be respected?
- How does your group plan on implementing the value of (academic) honesty? For example, how will you avoid cheating or plagiarism? How will you detect plagiarism from group members, and how will you respond to it?
- Note: Use your imagination here and be specific on how you plan to realize each value. Think preventively (how you plan on avoiding injustice, irresponsibility, injustice, and dishonesty) and proactively (how you can enhance these values). Don't be afraid to outline specific commitments. Expect some of your commitments to need reformulation. At the end of the semester, this will help you write the final report. Describe what worked, what did not work, and what you did to fix the latter.

Obstacles to Group Work (Developed by Chuck Huff for Good Computing: A Virtue Approach to Computer Ethics)

1. The **Abilene Paradox**. "The story involves a family who would all rather have been at home that ends up having a bad dinner in a lousy restaurant in Abilene, Texas. Each believes the others want to go to Abilene and never questions this by giving their own view that doing so is a bad idea. In the Abilene paradox, the group winds up doing something that no individual wants to do because of a breakdown of intra-group communication." (From Huff, Good Computing, an unpublished manuscript for a textbook in computer ethics. See materials from Janis; complete reference below.)
2. **Groupthink**. The tendency for very cohesive groups with strong leaders to disregard and defend against information that goes against their plans and beliefs. The group collectively and the members individually remain loyal to the party line while happily marching off the cliff, all the while blaming "them" (i.e., outsiders) for the height and situation of the cliff. (Also from Huff, **Good Computing**, an unpublished manuscript for a textbook in computer ethics.)
3. **Group Polarization**. Here, individuals within the group choose to frame their differences as disagreements. Framing a difference as non-agreement leaves open the possibility of working toward agreement by integrating the differences or by developing a more comprehensive standpoint that dialectically synthesizes the differences. Framing a difference as disagreement makes it a zero sum game; one's particular side is good, all the others bad, and the only resolution is for the good (one's own position) to win out over the bad (everything else). (Weston provides a nice account of group polarization in Practical Companion to Ethics. This is not to be confused with Cass Sunstein's different account of group polarization in **Infotopia**.)
4. Note: All of these are instances of a social psychological phenomenon called conformity. But there are other processes at work too, like group identification, self-serving biases, self-esteem enhancement, self-fulfilling prophecies, etc.

More Obstacles to Group Work

- **Free Riders:** Free riders are individuals who attempt to "ride for free" on the work of the other members of the group. Some free riders cynically pursue their selfish agenda while others fall into this pitfall because they are unable to meet all their obligations. (See conflict of effort.)
- **Outliers:** These are often mistaken for free riders. Outliers want to become participants but fail to become fully integrated into the group. This could be because they are shy and need encouragement from the other group members. It could also be because the other group members know one another well and have habitual modes of interaction that exclude outsiders. One sign of outliers; they do not participate in group social activities but they still make substantial contributions working by themselves. ("No, I can't come to the meeting--just tell me what I have to do.")
- **Hidden Agendas:** Cass Sunstein introduces this term. A group member with a "hidden agenda" has something he or she wants to contribute but, for some reason or other, hold back. For example, this individual may have tried to contribute something in the past and was "shot down" by the group leader. The next time he or she will think, "Let them figure it out without me."
- **Conflict of Effort:** conflict of Effort often causes an individual to become a free rider or an outlier. These group members have made too many commitments and come unraveled when they all come due at the same time. Students are often overly optimistic when making out their semester schedules. They tightly couple work and class schedules while integrating home responsibilities. Everything goes well as long as nothing unusual happens. But if a coworker gets sick and your supervisor asks you to come in during class times to help out, or you get sick, it becomes impossible to keep the problem from "spilling out" into other areas of your schedule and bringing down the whole edifice. Developing a schedule with periods of slack and flexibility can go a long way toward avoiding conflict of effort. Groups can deal with this by being supportive and flexible. (But it is important to draw the line between being supportive and carrying a free rider.)

Best Practices for Avoiding Abilene Paradox

- At the end of the solution generating process, carry out an anonymous survey asking participants if anything was left out they were reluctant to put before group.
- Designate a Devil's Advocate charged with criticizing the group's decision.
- Ask participants to reaffirm group decision--perhaps anonymously.

Best Practices for Avoiding Groupthink (Taken from Janis, 262-271)

- "The leader of a policy-forming group should assign the role of critical evaluator to each member, encouraging the group to give high priority to airing objections and doubts."
- "The leaders in an organization's hierarchy, when assigning a policy-planning mission to a group, should be impartial instead of stating preferences and expectations at the outset."
- "Throughout the period when the feasibility and effectiveness of policy alternatives are being surveyed, the policy-making group should from time to time divide into two or more subgroups to meet separately...."
- One or more outside experts or qualified colleagues within the organization who are not core members of the policy-making group should be invited to each meeting ...and should be encouraged to challenge the views of the core members."
- "At every meeting devoted to evaluating policy alternatives, at least one member should be assigned the role of devil's advocate."

Best Practices for Avoiding Polarization (Items taken from "Good Computing: A Virtue Approach to Computer Ethics" by Chuck Huff, William Frey and Jose Cruz (Unpublished Manuscript))

- **Set Quotas.** When brainstorming, set a quota and postpone criticism until after quota has been met.
- **Negotiate Interests, not Positions.** Since it is usually easier to integrate basic interests than specific positions, try to frame the problem in terms of interests.
- **Expanding the Pie.** Conflicts that arise from situational constraints can be resolved by pushing back those constraints through negotiation or innovation..
- **Nonspecific Compensation.** One side makes a concession to the other but is compensated for that concession by some other coin.
- **Logrolling.** Each party lowers their aspirations on items that are of less interest to them, thus trading off a concession on a less important item for a concession from the other on a more important item.

- **Cost-Cutting.** One party makes an agreement to reduce its aspirations on a particular thing, and the other party agrees to compensate the party for the specific costs that reduction in aspirations involves.
- **Bridging.** Finding a higher order interest on which both parties agree, and then constructing a solution that serves that agreed-upon interest.

Exercise 2 - Avoiding the Pitfalls of Group Work

- Design a plan for avoiding the pitfalls of group work enumerated in the textbox above.
- How does your group plan on avoiding the Abilene Paradox?
- How does your group plan on avoiding Group Polarization?
- How does your group plan on avoiding Groupthink?
- Note: Use imagination and creativity here. Think of specific scenarios where these obstacles may arise, and what your group can do to prevent them or minimize their impact.

Exercise 3: Socio Technical System

Your group work this semester will take place within a group of nested or overlapping environments. Taken separately and together, these will structure and channel your activity, facilitating action in certain circumstances while constraining, hindering, or blocking it in others. Prepare a socio-technical system table for your group to help structure your group self-evaluation. Include hardware/software, physical surroundings, stakeholders (other groups, teacher, other classes, etc.), procedures (realizing values, avoiding pitfalls), university regulations (attendance), and information structures (collecting, sharing, disseminating)

Some things about Socio-Technical Systems

1. Socio-Technical System Analysis provides a tool to uncover the different environments in which business activity takes place and to articulate how these constrain and enable different business practices.
2. A socio-technical system can be divided into different components such as hardware, software, physical surroundings, people/groups/roles, procedures, laws/statutes/regulations, and information systems.
3. But while these different components can be distinguished, they are in the final analysis inseparable. STSs are, first and foremost, systems composed of interrelated and interacting parts.
4. STSs also embody values such as moral values (justice, responsibility, respect, trust, integrity) and non-moral values (efficiency, satisfaction, productivity, effectiveness, and profitability). These values can be located in one or more of the system components. They come into conflict with one another causing the system to change.
5. STSs change and this change traces out a path or trajectory. The normative challenge of STS analysis is to find the trajectory of STS change and work to make it as value-realizing as possible.

Hardware/Software	Physical Surroundings	Stakeholders	Procedures	University Regulations	Information Structures
Think about the new role for your smart phones in group work in class. Will you be using Google Docs to exchange documents?	How does the classroom and the arrangement of objects within it constrain and enable group activities?	Think about other teachers, classes, supervisors, jobs, and other individuals that can have an impact on	Name but don't describe in detail, the value-realizing procedures your group is adopting.	What are university regulations that will have an impact on your group work. For example, switches between	There is a wealth of information and skill locked in each of your group's members. How will you unleash these and telescope them into

		your ability to carry out group assignments.		MWF and TTH schedules.	group work and activities? How, in other words, will you work to maximize group synergies and minimize group disadvantages?
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Socio-Technical System Table for Groups

Exercises 1-3 compose the Preliminary Self-Evaluation which is due shortly after semester-long groups are formed. Exercise 4 is the close-out group self evaluation which is due at the end of the semester.

Exercise 4: Prepare a Final, Group Self-Evaluation

- Due Date: One week after the last class of the semester when your group turns in all its materials.
- Length: A minimum of five pages not including Team Member Evaluation Forms
- Contents:
 1. Restate the Ethical and Practical Goals that your group developed at the beginning of its formation.
 2. Provide a careful, documented assessment of your group's success in meeting these goals. (Don't just assert that "Our group successfully realized justice in all its activities this semester." How did your group characterize justice in the context of its work? What specific activities did the group carry out to realize this value? What, among these activities, worked and what did not work?)
 3. Identify obstacles, shortcomings or failures that you group experienced during the semester. How did these arise? Why did they arise? How did you respond to them? Did your response work? What did you learn from this experience?
 4. Assess the plans you set forth in your initial report on how you intended to realize values and avoid pitfalls. How did these work? Did you stick to your plans or did you find it necessary to change or abandon them in the face of challenges?
 5. Discuss your group's procedures and practices? How did you divide and allocate work tasks? How did you reach consensus on difficult issues? How did you ensure that all members were respected and allowed significant and meaningful participation? What worked and what did not work with respect to these procedures? Will you repeat them in the future? Would you recommend these procedures as best practices to future groups?
 6. What did you learn from your experience working as a team this semester? What will require further reflection and thought? In other words, conclude your self-evaluation with a statement that summarizes your experience working together as a team this semester.

Appendix for ADMI 4016, Falkl 2013 and following

- What are the results of your group's challenge to the College of Business Administration's Statement of Values? (This can be found in Developing Ethics Codes and Statements of Value. See exercise 2. <http://cnx.org/content/m14319/1.11/>)
- What is your group's CID Structure? See presentation two at the bottom of the module, A Short History of the Corporation. <http://cnx.org/content/m17314/1.7/>

Wrap Up: Some further points to consider...

1. Don't gloss over your work with generalizations like, "Our group was successful and achieved all of its ethical and practical goals this semester." Provide evidence for success claims. Detail the procedures designed by your group to bring about these results. Are they "best practices"? What makes them best practices?

2. Sometimes—especially if difficulties arose—it is difficult to reflect on your group’s activities for the semester. Make the effort. Schedule a meeting after the end of the semester to finalize this reflection. If things worked well, what can you do to repeat these successes in the future? If things didn’t work out, what can you do to avoid similar problems in the future? Be honest, be descriptive and avoid blame language.
3. This may sound harsh but get used to it. Self-evaluations—group and individual—are an integral part of professional life. They are not easy to carry out, but properly done they help to secure success and avoid future problems.
4. Student groups—perhaps yours—often have problems. This self-evaluation exercise is designed to help you face them rather than push them aside. Look at your goals. Look at the strategies you set forth for avoiding Abilene, groupthink, and group polarization. Can you modify them to deal with problems? Do you need to design new procedures?

Ethics of Team Work Presentations

Values in Team Work (Thought Experiments)

<https://cnx.org/content/m13760/>

Pitfalls to Avoid in Group Work

<https://cnx.org/content/m13760/>

Thought Experiments on Group Work

<https://cnx.org/content/m13760/>

Team Member Evaluation Forms (Required)

<https://cnx.org/content/m13760/>

New Ethics of Teamwork Presentation (Spring 2012)

<https://cnx.org/content/m13760/>

Ethics of Teamwork Jeopardy

<https://cnx.org/content/m13760/>

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Value Profile: Justice

Justice is the first value in the University of Puerto Rico, College of Business Administration's Statement of Values. The purpose of this profile is to provide a more in-depth look at this important value. It will examine the core meaning of justice (justice as a fair agreement stemming from a social contract), its key features, different kinds of justice (distributive, retributive, compensatory, administrative), some useful frameworks in justice, cases involving justice, and a social contract exercise to convey the concept's core meaning. This profile will eventually be combined with profiles of the other four SOV values in a collection to be used in verifying and challenging ADEM's Statement of Values. It will be subjected to updates as the author continues research into this area and also has chance to assess in the classroom the success of the exercise the module offers.

Value Profile: Justice

The root or core meaning of justice is giving to each what is due.

Suppose you are moving and are trying to decide how to pay the three workers who are helping you. Giving each his and her due might simply consist of paying all three the same amount. This version of what is due is egalitarian. Or you might give a bit more to the worker whose oldest child is sick and needs expensive medical treatments. This version of giving each what is due is more necessitarian, that is, distributing on the basis of need. Or you could wait until the move has already occurred and give the most to the worker who did the most; this could be termed a merit-based approach to what is due. This example is presented in different sources. One is Beauchamp and Bowie (1988). **Ethical Theory and Business, 3rd Edition**. Upper Saddle, NJ: Prentice-Hall, p. 552.

Justice, then, in its core sense implies a distribution of something that accords with our common ideas of fairness, equality, merit, and impartiality.

Moving from this core meaning, justice classically divides into different senses. These are different senses distinguished by Manuel Velasquez (2006), *Business Ethics: Concepts and Cases, 6th ed.* Upper Saddle River: NJ: Prentice-Hall, p. 88.

1. **Distributive Justice** examines how to divide and allot fairly the benefits and harms that result from social cooperation.
2. **Retributive Justice** concerns itself with the fair and impartial administration of punishment to wrongdoers.
3. **Compensatory Justice** scrutinizes how we fairly compensate those who have been wrongfully harmed by others.
4. **Administrative Justice** looks at how rules are fairly and impartially administered in a social, political, or organizational context.

Justice, Hobbes, and the Social Contract

Many have worked to derive a conception of justice a version of the social contract. The exercises in this module have you look at justice as resulting from procedures derived from Thomas Hobbes (1588-1679) and John Rawls (1921-2002). (Hobbes selections come from Steven Cahn (editor), *Classics of Western Philosophy, 2nd Edition*. Indianapolis, IN: Hackett Press (1985): 361 and 368. Those on Rawls come from *Theory of Justice or Ethical Theory and Business* (edited by T Beauchamp and N Bowie, Upper Saddle, NJ: Prentice-Hall, 1988, pp. 559-567.

Hobbes sees the social contract as a procedure that takes us from a State of Nature (which is identical to a State of War) to Civil Society. Each contract has a *quid pro quo*, a mutually beneficial exchange. Individuals agree to lay down their natural liberties because these, combined with the acquisitiveness of human nature, have led to a state of war of all against all. To enforce this contract, each individual transfers his or her natural rights and powers to a sovereign who is charged with enforcing the contract they have made with one another.

This reduces to a formula: Rational Self-Interest + Knowledge of Human Nature + Natural Equality between all human individuals = a State of War. Why? Because human individuals are characterized individually by unlimited desire; without some check unlimited individual desire leads to conflicts between different individuals who desire the same thing.

The state of war is for Hobbes is highly undesirable. Life in the State of Nature is "solitary, poor, nasty, brutish, and short."

"Hereby it is manifest, that during the time men live without a common power to keep them in awe, they are in that condition which is called war; and such a war, as is of every man against every man....Whatsoever there is consequent to a time of war, where every man is enemy to every man; the same is consequent to the time, wherein men live without other security, that what their own strength, and their own invention shall furnish them withal. In such a condition there is no place for industry; because the fruit thereof is uncertain: and consequently no culture of the earth; no navigation, nor use of the commodities that may be imported by sea; no commodious building; no instruments of moving, and removing, such things as require much force; no knowledge of the face of the earth; no account of time; no arts; no letters; no society; and which is worst of all, continual fear, and danger of violent death; and the life of man, solitary, poor, nasty, brutish, and short." T. Hobbes. (1651). **Leviathan: Edited with an Introduction by C. B. MacPherson** Middlesex, England: Penguin Books, p. 186.

Key Terms

Rational Self-Interest: For Hobbes, humans want to stay alive. Rational self-interest dictates that the individual will do whatever is necessary to ensure continued survival.

State of Nature: The absence of laws, social norms, and customs. Each has the liberty to do what he or she wants. Nothing but the opposition of other human individuals stands in the way of an individual fulfilling desire. Hobbes, viewing human nature through the lens of physics and the natural sciences, characterizes state of nature as a social and political vacuum where one pursues whatever one desires. Because desires do not limit themselves, unless they are unlimited from the outside, they lead individuals to come into conflict with one another. The State of Nature is nothing other than a State of War of all against all.

Human Nature: Hobbes' conception of human nature has been termed "possessive individualism" by C. B. Macpherson.

- First, the individual is an atom isolated from other individuals and from any kind of social or natural context. Each human individual has a nature prior to and independently of society.
- Second, if this individualism is possessive, then it is characterized by unlimited desire. Humans are determined by their desires and passions. So if two or more individuals desire the same thing, then conflict is inevitable.
- Third, Hobbes assumes a natural equality among human individuals. This doesn't mean that everyone has the same powers or that no individual has more of any power than another. All it need mean is that even the most powerful among us is unable to so completely dominate others that he or she can lock a guarantee on peace and security.

Justice for Hobbes

In Chapter XV of the *Leviathan*, Hobbes defined justice: *From that law of nature, by which we are obliged to transfer to another, such rights, as being retained, hinder the peace of mankind, there followeth a third which is this, that men perform their covenants made: without which, covenants are in vain, and are but empty words; and the right of all men to all things remaining, we are still in the condition of war. And in this law of nature, consisteth the fountain and original of justice. for where no covenant hath preceded, there hath no right been transferred, and every man has right to everything; and consequently, no action can be unjust. But when a covenant is made, the to break it is unjust: and the definition of injustice, is no other than the not performance of covenant. And whatsoever is not unjust, is just.* T. Hobbes. (1651). **Leviathan: Edited with an Introduction by C. B. MacPherson** Middlesex, England: Penguin Books, p. 201-202.

Rousseau's criticism

Rousseau (1712-17178) provides an insightful criticism of Hobbes. He argues that Hobbes did not dig deep enough in his effort to reach human nature prior to its reconstitution by civil society. The acquisitive desires that Hobbes uses to describe Human nature in its pre-social form are actually, themselves, the products of civilization itself. They are introduced along with the notion of private property. Rousseau sees this as a degeneration from original human nature, the noble savage whom he views romantically.

[Hobbes] had wrongly injected into the savage man's concern for self-preservation the need to satisfy a multitude of passions which are the product of society and which have made laws necessary. The evil man, he says, is a robust child. It remains to be seen whether savage man is a robust child....Moreover, there is another principle that Hobbes failed to notice, and which, having been given to man in order to mitigate, in certain circumstances, the ferocity of his egocentrism or the desire for self-preservation before this egocentrism of his came into being, tempers the ardor he has for his own well-being by an innate repugnance to seeing his fellow men suffer....I am referring to pity, a disposition that is fitting for beings that are as weak and as subject to ills as we are; a virtue all the more universal and all the more useful to man in that it precedes in him any kind of reflection, and so natural that even animals sometimes show noticeable signs of it. Rousseau, "Discourse on the Origin of Inequality, Part One," in Jean-Jacques Rousseau: The Basic Political Writings. Indianapolis, IN: Hackett (1987): 53.

Justice, Rawls, and the Veil of Ignorance

Rawls on Justice

In his 1971 book, **Theory of Justice**, John Rawls constructed a thought experiment to find the basic principles of **distributive** justice. Rawls begins with the central problem of distributive justice. The goods, harms, and risks that accompany social cooperation must be fairly and justly distributed. Three methods of distribution present themselves as leading candidates: equality, merit, and need.

- *Equality*: the benefits, harms, and risks of social cooperation are distributed equally among members of the social group.
- *Merit*: the greatest share goes to those who deserve it. Merit can be defined in terms of knowledge, skill, productivity or even moral virtue.
- *Need*: the greatest share goes to those who have the greatest need.
- Beauchamp and Bowie add distribution according to rights, effort, and societal contribution. Beauchamp and Bowie, **Ethical Theory and Business, 3rd Edition**, p. 44.

Rawls then constructs a thought experiment designed to solve this problem of distribution. Imagine a situation where a group of rationally self-interested individuals choose principles of distribution under a veil of ignorance. (This means that individuals will be making this choice unaware of their own special circumstances, for example, whether they will be rich or poor, born in a wealthy nation or in a developing country, endowed with natural talents or handicapped in some way, etc.)

1. Rational self-interest leads us to acquire as many primary goods as possible. These include (a) rights and liberties, (b) opportunities and powers, and (c) income and wealth.
2. Under the veil of ignorance, we pretend to know nothing of our situation. As Rawls puts it, under the veil of ignorance, **“no one knows his place in society, his class position or social status, nor does any one know his fortune in the distribution of natural assets and abilities, his intelligence, strength and the like.”** (J. Rawls (1971). **A Theory of Justice**. Cambridge, Mass: Harvard University Press, p. 12)

The veil of ignorance channels rational self-interest toward an impartial and fair system of distribution. Without the veil of ignorance, those who are rich would gravitate toward a scheme of distribution that maintained and even enhanced their wealth. Those who were poor would opt for a scheme that redistributed the wealth of others to themselves. The scheme could also be shifted towards one's natural talents: if one were strong, one would choose a system of distribution biased toward strength; if one were intelligent, one would choose a system of distribution that rewarded intelligence; if one were male, one would choose a system that favored men. Rational self interest without the veil of ignorance would bias the principles of justice chosen. But the veil of ignorance pushes rational self-interest toward impartiality because the rationally self-interested individual must choose to protect all possibilities, not knowing in advance which one will apply.

With this in mind, Rawls' basic position can be summarized in the following manner:

1. Rational Self-Interest + Veil of Ignorance = Theory of Distributive Justice.

Distributive Justice, in turn, is captured by two principles: the Equal Liberties Principle (ELP) and the Difference Principle (DP)

1. ELP = Equal Liberties Principle: *“First: each person is to have an equal right to the most extensive basic liberty compatible with a similar liberty for others.” “The basic liberties of citizens are, roughly speaking, political liberty (the right to vote and to be eligible for public office), together with freedom of speech and assembly; liberty of conscience and freedom of thought; freedom of the person along with the right to hold (personal) property; and freedom from arbitrary arrest and seizure as defined by the concept of the rule of law.”* (Rawls, *A Theory of Justice*, pp. 60-61)
2. DP = Difference Principle: *“Second: social and economic inequalities are to be arranged so that they are both (a) reasonably expected to be to everyone’s advantage [most especially to those most disadvantaged] and, (b) attached to positions and offices open to all...”* (Rawls, *A Theory of Justice*, pp. 60-61) One further point on the difference principle requires emphasis: *“social and economic inequalities, for example inequalities of wealth and authority, are just only if they result in compensating benefits for everyone, and in particular for the ;least advantaged members of society.”* (Rawls, *A Theory of Justice*, 14-15.)

The Equal Liberties Principle has priority over the Difference Principle so that equality becomes the default pattern of distribution; any departure from an equal pattern of distribution must have a strong, overriding justification. Moreover, the equal distribution of political liberties is, for Rawls, absolute and cannot be overridden. (Rawls, thus, overcomes what he sees as a weakness of utilitarianism that allows the overriding of basic rights and liberties to bring about the greatest good for the greatest number.) But, under the Difference Principle, a departure from equality can be justified in the economic sphere if all stand to benefit, most especially the disadvantaged. In this way, Rawls works toward a synthesis that captures the strengths of three patterns of distribution: equality, merit, and need.

Rawls’ theory of justice has been intensely debated and scrutinized. From the libertarian standpoint, Nozick criticizes Rawls for developing a system of justice that sacrifices liberty for equality. Nozick argues that a patterned system of justice (like Rawls’) must continually interfere with a distribution voluntarily reached to maintain a privileged pattern of distribution. (To put it crudely, Nozick argues that Rawls’ system of justice would require continual transfer of wealth and goods from those who have more to those who have less. One such mode of transfer is, of course, taxation. So Nozick points out that under Rawls’ system we would pay loads of taxes.)

Nozick provides an interesting example of how patterned systems of distribution interfere with liberty. Suppose we voluntarily transfer our money to Michael Jordan to see him play. We enjoy the show but now Jordan has a disproportionate share of the total wealth, as judged by our ideal pattern of distribution, namely, equality. So to restore justice, we take back some of Jordan’s money—through taxation—and redistribute it to those who gave it to him in the first place. Overriding the initial, voluntary transfer by a second involuntary transfer doesn’t make sense to Nozick. Moreover, he finds it wrong because it sacrifices liberty to equality (or some other privileged pattern of distribution). For Nozick, the current pattern of distribution is not important. What matters is how it came to be. If the current pattern was produced by a just process, then it is a just distribution no matter how unequal it may be. Nozick defines this just process as repeated applications of justice in acquisition (we made it or added value to it) and justice in transfer (somebody bought it from us or received it as a gift without force or fraud). (This analysis loosely follows R Nozick. (1974) **Anarchy, State, and Utopia**, New York: Basic Books, pp. 149-154, 156-157, 159-163, 168, 174-5, 178-179, 182.) These selections can be found in Beauchamp and Bowie. (1988). **Ethical Theory and Business, 3rd Ed.** Upper Saddle, NJ: McGraw-Hill, pp. 567-570. The Wilt Chamberlain example has been updated to the Michael Jordan example.)

The table below summarize much of the discussion in this module to this point. It also refers to some point that are beyond the scope of this module. For example, Sandel provides a communitarian criticism of Rawls. Rawls’ self can be detached from its social surroundings and defined in terms of rational self-interest. Sandel argues that justice must confront more robust selves or individuals who are inseparable from their social context. Hence, the social contract itself (or Rawls’ original position) must always factor in the projects and social relations that partially constitute who we are. Second, Walzer argues that there are spheres of justice that correspond to different practical areas; each sphere has its own distinct principle or procedure of distribution and these different procedures cannot be reduced to one all-inclusive view. So economic goods can be distributed consequentially but political goods must have some kind of right-based or deontological procedure. Third and finally, Nussbaum and Sen see justice as following from a more robust conception of human dignity that is filled out by substantive freedoms or what they term capabilities. M. Nussbaum. (2006). **Frontiers of Justice: Disability, Nationality, species Membership**. Cambridge, Mass: Belknap Press.

Root meaning	Key Features	Kinds and Senses	Useful Frameworks	Cases
Giving each what is due—places justice under the debits/credit metaphor	<p>Pattern Approaches: Justice = the conformity of current distribution to an ideal pattern</p> <ul style="list-style-type: none"> • Equality or equal shares of benefits and burdens • Merit or the most to those who merit or deserve it • Need or the most to those who have the greatest needs 	<p>Distributive: dividing burdens and benefits of social cooperation fairly. Retributive: fair and impartial administration of rewards and punishments</p>	<p>Social Contract Version One</p> <ul style="list-style-type: none"> • Agents pursuing self-interest • Negotiating out of condition of equality in SN • Agreement reached among parties exchanging liberties to secure rights represents a just procedure 	<p>Hughes</p> <ul style="list-style-type: none"> • Does provide victim wrong dismissal: adequate means redress

Root meaning	Key Features	Kinds and Senses	Useful Frameworks	Cases
<p>Justice as fairness and justice as equality</p> <ul style="list-style-type: none"> First emphasizes impartiality Second emphasizes equality 	<p>Historical Process View: if the current distribution results from a process free of coercion and deception, then it is just.</p> <ul style="list-style-type: none"> Justice as Entitlement results from repeated applications of ... Justice in acquisition (mixing one's labor with an object) and Justice in transfer (voluntary exchange of goods between individuals) <p>Michael Jordan is entitled to his larger share if collectively we have transferred our money to him to watch him play.</p>	<p>Compensatory: fair compensation for wrongful injuries Administrative: Impartial and fair administration of rules and procedures (consistent with due process)</p>	<p>Rawls Version: Social Contract under veil of ignorance Rational Self-Interest (maximize primary goods) + Veil of Ignorance (Ignorance of natural talents, gender, social class, economic and political status, etc.) = Procedural Justice as spelled out in two principles: 1. <i>Equal Liberties Principle</i>: "Each person is to have an equal right to the most extensive basic liberty compatible with a similar liberty for others." 2. <i>Difference Principle</i>: "social and economic inequalities...are just only if they result in compensating benefits for everyone, and in particular for the least advantaged members of society." (Rawls, Theory of Justice in Beauchamp and Bowie Business Ethics, 561.)</p>	<p>Incident at</p> <ul style="list-style-type: none"> Do maqu: repres distri econo goods risks? Consi espec: lower and lc envirc and se standa <p>Intuition P</p> <ul style="list-style-type: none"> 3 stud help y move needy skilled the th availa (share

Root meaning	Key Features	Kinds and Senses	Useful Frameworks	Cases
<p>Metaphor: Justice emerges out of a social contract</p> <ul style="list-style-type: none"> agents with rational self-interest (utility maximizers) mutually beneficial exchange or <i>quid pro quo</i> knowledge and comprehension of terms of <i>quid pro quo</i> Voluntary (Free and informed Consent) 	<p>In general processes of acquisition and transfer must be liberty-preserving or free from coercion and deception</p>	<p>Justice can be treated as a right essential to autonomy, vulnerable to a standard threat and feasible in that it does not deprive the correlative duty-holder of anything essential</p> <p>Utilitarianism: Justice is intrinsically valuable but only as a part of happiness (especially happiness of the greatest number)</p>	<p>These two principle allow for maximizing primary goods (=rational self-interest) under a veil of ignorance according to Rawls</p> <p>Primary Goods:</p> <ul style="list-style-type: none"> rights and liberties opportunities and powers income and wealth 	<p>CEO Pay</p> <ul style="list-style-type: none"> Justifi under histor proce Justifi under equali merit
<p>Justice has been characterized in different ways as a ...</p> <ul style="list-style-type: none"> right essential to autonomy good essential to human happiness virtue or disposition of character of human agent 		<p>Spheres of Justice (Walzer): There are several distinct spheres of practical activity, each with its own rule of distributive justice. (Examples: Educational, Political, Economic)</p>		<p>One Laptop Child</p> <ul style="list-style-type: none"> Do X laptop provic means reduc digita betwe devel devel nator

Exercise A

Introduction

As you have seen in the material above, justice can be at least partially derived from an imagined social contract where rationally self-interested individuals negotiate how society should distribute access to primary goods such as (1) liberties and rights, (2) opportunities and powers, and (3) wages and wealth. Social contract theory thus devises a negotiation whose end result generates principles and procedures of distributive justice. In this activities section, you will carry out two different versions of the social contract, one without what Rawls terms a veil of ignorance and the other under the veil of ignorance.

First, you will participate in a natural lottery. From a hat (or box) you will draw one of the following:

The Natural Lottery

- You (or your group) has been born as a woman
- You (or your group) has been born as Michael Jordan. (You have talents that would make you an excellent basketball player if these are properly developed.
- You (or your group) has been born as Albert Hirschmann, a German of Jewish dissent who comes of age in the 1930s in Nazi Germany. You have extraordinary mental talents and have a good preliminary education but are now living in a world where people of your descent are the objects of persecution.
- You (or your group) has been born as a graduate from the Harvard MBA program.
- You (or your group) has been born in a nation that occupies what is now called the "Global South." (Haiti would be a good example.)
- You (or your group) has been born as a Black man who has always lived in Detroit, MI.

Some key assumptions to guide you all through the negotiation process.

- Your group has interests that need to be protected in this process. You can try to integrate interests, compromise interests, or tradeoff interests with one another.
- You and the other parties to the contract are rationally self-interested. As such you are interested in maximizing access to Primary Goods such as rights and liberties, opportunities and powers, income and wealth.
- You are willing to accept constraints to your primary goods but only if other groups also do so. In other words, you should not unilaterally give up your group's access to any primary goods since these compose rational-self interest and are also essential to survival.
- This contract is supposedly neutral as to different conceptions of the self, for example, whether the self is essentially or non-essentially related to any community. But it tends in the direction of what MacPherson terms "possessive individualism." In this case, there is a human nature that is prior to an independent of any relation to other individuals or to a community. Hobbes reduces this human nature to acquisitiveness or unlimited desire. Locke and Rousseau see a "fellow feeling" as balancing or checking acquisitive desire.

Negotiate a new social contract with the other groups.

Negotiate a contract whose structure represents the best procedure for distributing goods, risks, and harms among the different stakeholders listed in one. Be prepared to defend your contract against claims that it privileges one of these groups over another.

Begin by answering the following questions:

1. What are your group's interests, needs, or desires?
2. Does your group have its fair share of primary goods: (1) Liberties and Rights, (2) Opportunities and Powers, (3) wealth and income
3. Are your interests/access to goods being met under the current system of distribution?
4. If not describe/prescribe a redistribution process to give your group what is "its due."

Exercise B

1. Now, renegotiate this contract under a veil of ignorance. The same classes will emerge in the system of justice you are creating by your contracting: Political leaders (legislators, judges, mayors, etc); Wealthy Individuals; Individuals with High Intelligence; Individuals with Low Intelligence; Poor); Members of Minority Groups; Women; Men. Only now, your task will be to negotiate a procedure of distribution under a veil of ignorance. You will enter into this system and come to occupy one of these roles, but at this point of negotiation, you do not know which of these roles.

2. As in Exercise A, you are negotiating on the basis of Hume's circumstances of justice:

- Each group has interests that need to be protected in this process. Different group interests can be reconciled through compromise, integration, or tradeoff.
- You and everyone else are rationally self-interested. As such you are interested in maximizing for your group Primary Goods such as rights and liberties, opportunities and powers, income and wealth.
- All negotiating parties are equal. But the roles bracketed by the veil of ignorance are not equal. How would you take this into account in the negotiation?

- Obviously your position will be constrained by the other parties in the negotiation. But, because of the veil of ignorance, you don't know how that constraint will take place. What kind of negotiation stance can you take under the veil of ignorance? Again, remember that you want to maximize your acquisition of primary goods (rights and liberties, powers and opportunities, wealth and income). But this maximization cannot be brought about by privileging any of the roles mentioned above. You may be rich but you may be poor; you may be smart but you may be not so smart; you may be a man but you may be a woman. How do you insure maximize access to primary goods under these conditions?
- This contract is supposedly neutral as to different conceptions of the self, for example, whether the self is essentially or non-essentially related to any community. But it tends in the direction of what MacPherson terms "possessive individualism." In this case, there is a human nature that is prior to an independent of any relation to other individuals or to a community. Hobbes reduces this human nature to acquisitiveness or unlimited desire. Locke and Rousseau see a "fellow feeling" as balancing or checking acquisitive desire.

3. Negotiate a new procedure for distributing primary goods, risks, and harms under this veil of ignorance. Describe in detail your procedures.

Exercise C

1. Compare the procedure you developed in Exercise A with the pattern based approach of Rawls. Did you come up with something like the Equal Liberties Principle and the Difference Principle? Compare your procedure with Nozick's Historical Process procedure. Which comes closest to the Hobbesian conception of distributive justice?
2. Compare the procedure you developed in Exercise B with the pattern based approach of Rawls. Did you come up with something like the Equal Liberties Principle and the Difference Principle? Compare your procedure with Nozick's Historical Process procedure. Is this process compatible with a negotiation under the veil of ignorance? Finally which theory seems most compatible with your negotiation in Exercise B, the pattern based approach or the historical process approach?

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Value Profile: Responsibility

This module profiles the value, responsibility. After presenting its root metaphor, it provides a discussion of key features, kinds and senses, and useful frameworks. Responsibility is a complex value. The route this module takes through this complexity is to pull together its different senses and kinds as variations of "response to relevance." Two exercises at the end will provide an anchor for students to work with responsibility's root meaning and to see how it develops and changes as it appears in different cases. This first publishing is subject to revision as author gathers assessment data and carries out further research into moral responsibility.

Introduction: The Root Meaning of Responsibility

The College of Business Administration at the University of Puerto Rico at Mayaguez has recently adopted a Statement of Values. Rather than allowing this document to become static, this community is committed to challenging the Statement of Values. The first challenge, brought about by students, was to translate the Statement of Values into Spanish. (The original was drafted in English in order to be integrated into Business Administration's efforts at AACSB accreditation.) This module forms part of a series of modules that profile in detail each of the constituent values of Business Administration's Statement of Values: justice, responsibility, respect, trust, and integrity. Its purpose is to provide the basis for a conceptual challenge to the Statement of Values. Different constituents or stakeholders of Business Administration, students and staff, have expressed interest in more sharply distinguishing key values (e.g. trust and responsibility) and in exploring the overlap and distinctions between values (e.g., integrity and responsibility). This module profiles responsibility. Others will profile the remaining values, justice, respect, trust, and integrity. Finally, an introductory module will introduce students to value-based decision making while a concluding module will present a value realization framework taken from software engineering. This module profiles responsibility by providing its root metaphor, key features, kinds and senses, and useful frameworks. It concludes with exercises designed to help students understand responsibility's root metaphor, response to relevance, and how it has been metaphorically projected onto increasingly "higher" moral spaces, moving

from the negative to the positive, the minimal to the exemplary, and the reactive to the prospective.

Root Meaning: Response to Relevance

Herbert Fingarette's formula, "**responsiveness to essential relevance**" pulls together two strains used to test for criminal insanity, the cognitive test which lies in the ability to appreciate the moral quality of one's actions and the volitional test which lies in the ability to act on one's perception of moral relevance. This module converts the test for legal competence, "responsiveness to essential relevance," into a the root metaphor for moral responsibility, namely, "(moral) responsiveness to essential (moral) relevance." Moral responsibility brings together two skills. First, the responsible agent has the ability to zero in on the morally relevant aspects of a situation. This comes from cultivated emotional and perceptual sensitivities. (You are sitting on a crowded bus and begin to feel empathically the uncomfortableness of the elderly lady standing in the center.) Second, while keeping the morally relevant aspects in focus, the responsible agent is able to design and execute a morally responsive action that answers to the moral relevance in a situation. (You rise from your seat in the bus and offer it to the elderly lady.) This volitional ability requires cultivating powers of control, skill and knowledge. **The root meaning of responsibility is, thus, (moral) responsiveness to essential (moral) relevance.** See Fingarette, *The Meaning of Criminal Insanity*, 186-7.

Metaphorical Structure

Responsibility is metaphorically structured. Metaphor, for Johnson and Lakoff, is more than just a figure of speech. It is a projection of meaning and structure from one domain, a familiar experience termed the **source domain**, onto another less familiar domain termed the **target domain**.

Seeing the unfamiliar in terms of the familiar or extending existing meaning and experience to cover new regions, represents, for Johnson and Lakoff, a fundamental imaginative activity. So, our experience of physical forces and their interactions is encapsulated into the image schema, stimulus-response. Then this basic structure is projected onto the moral domain: stimulus-response becomes perception of relevance-response to relevance. This projection doesn't merely repeat the original experience; it does not reduce the moral to the physical. Stimulus-response is expanded by the insertion of

moral content. Stimulus becomes sensitivity to what is morally salient in a situation; we use perceptual and emotional sensitivities and skills to zero in on the moral aspects of a complex situation. Response, when projected onto the moral domain, is no longer unthinking, automatic; now it becomes the formulation of action that is calibrated to moral salience. This metaphorical structure of responsibility is subject to further elaborations. As you will see in the exercises below, responsibility begins as a punitive response to failure to achieve the minimally moral. We blame an engineer for an accident when it results from her failure to exercise even minimal due care in the design and testing of a product. But, through repeated metaphorical projections, moral responsibility is repeatedly elaborated onto higher and higher moral spaces as the pursuit of excellence, not just the avoidance of blame. In short, the metaphorical elaboration of the root meaning of responsibility allows us to see continuity between its negative, reactive, and blame-center forms and more advanced positive, proactive, and supererogatory praise-worthy forms. Just below is a slide that taken from a presentation given by the author on "Teaching Moral Responsibility" at the annual meeting of the Association of Practical and Professional Ethics, March 2012; it shows the elaboration of moral responsibility through the repeated projections of the image schema stimulus-response or the experience of physical force and its interactions. (This account of responsibility as a metaphor is taken from Mark Johnson, *The Body in the Mind*, p. 14. See other Johnson references listed below.)

Image schema: *Physical stimulus “evokes” a reflex response*
(Built upon Johnson, BIM)

Metaphor: Image schema (= **source domain**) is projected onto the abstract moral realm (= **target domain**)



Positive and Negative Senses of Responsibility

Negative Responsibility

The negative sense focuses on assigning blame for the untoward. (Untoward means something negative like harmful or unduly risky, etc.) This sense of responsibility works, primarily, from the threshold of the morally minimum. If you are below this threshold, several things happen: you are subjective to reactive attitudes (resentment, indignation, guilt), blame or approbation, and punishment. It is this sense that Bradley had in mind when he asserted that "responsibility is necessarily connected to punishment." In this domain, the goal is to stay out of trouble which is the same as staying above the minimally moral. Good enough to stay out of trouble but not really good. (Hobbes, in Calvin and Hobbes, tells Santa Clause that he has not committed any murders or robbed any banks this year. Hobbes tells him that this might not be enough; not doing wrong does not fully constitute doing good.)

Positive Responsibility

Positive/proactive responsibility focuses on preventing harm and striving for supererogatory value-realization. You are working on an assembly line and see your coworker unconsciously taking a risk that could, under the right configuration of events, cause an accident. You make him aware of this risky habit and work with him to change it all the while taking care not to blame him or attribute it to him as a fault. Your coworker could, and at least initially probably will say, that it is none of your business. But you make it clear that you are doing this because you are concerned and want to work with him to avoid an injury. More and more, companies are working to take injury prevention out of the negative and punitive stance and make it part of an approach that emphasizes non-fault prevention. But even more than prevention, positive responsibility can lie in the pursuit of the supererogatory. Here one takes responsibility even if prior to the act of commitment, it was not obligatory. One delivers an unexpected good work or even offers a sacrifice of an important interest in the pursuit of excellence. Positive responsibility sets behind itself issues of punishment and blame and recasts itself as the pursuit of excellence. In its most positive sense, responsibility becomes a virtue. (Pritchard, Harris, and Rabins discuss positive senses of responsibility in **Engineering Ethics: Concepts and Cases** 99-116. 2nd Edition. See also William F. May, "Professional Virtue and Self-Regulation," in *ethical Issues in Professional Life*, Oxford University Press, 1988. Finally see John Ladd "Bhopal: An Essay on Moral Responsibility and Civic Virtue" in **Journal of Social Philosophy** Vol. 22(1):73-91.)

Moral Responsibility and the Law

Moral responsibility cannot be reduced to legal responsibility. Yet, as Fingarette's investigation of criminal insanity shows, the two overlap and frequently complement one another. Here it is absolutely essential to emphasize one fundamental difference. Legal responsibility focuses on the boundary between what is above the threshold of the minimally moral and what falls below. Moral responsibility begins with this minimal threshold or boundary but then proceeds to outline higher regions of what can be termed exemplary or supererogatory space. Another way of putting this is to hold that while moral responsibility can reflect legal responsibility by laying out

the gateway between the blameworthy and the acceptable, it can also be formulated as a virtue or an excellence. Legal responsibility remains necessarily connected with blame and punishment. Moral responsibility at some point leaves these behind as it becomes associated with different morally reactive attitudes such as gratitude, admiration, and pride.

Responsibility under Civil Law

- A Tort is a wrongful injury. To prevail in a tort one must prove negligence, recklessness, or intent.
- Negligence emerges out of the background of the normal or reasonable where due care is exercised. In other words, it arises from the failure to exercise due care.
- Recklessness goes a step further. One consciously risks a harm but does so in pursuit of another intention or goal. So you may drive recklessly through the university but justify--in your own mind--this risk incurred on others because you are late to your job interview.
- Intent is the worst of all three. Here the harm in question forms a central part of the agent's intention. The employee fired from his job intentionally introduces a virus into the workplace computer network shutting it down and producing financial loss. Injury intentionally brought about not only triggers compensation to make the victim whole; it may also trigger punitive damages, an invasion of civil law by criminal law.

An interesting debate has developed in the field of engineering ethics about standards of due care. Larry May sets forth a standard of minimal care which is a threshold below which an engineer cannot fall without incurring negligence. While the law is adept at establishing a minimal level of acceptable care, engineers as professionals should be held to higher standards. Hence, Harris, Pritchard, and Rabins in an influential textbook on engineering ethics, *Engineering Ethics: Concepts and Cases*, argue for higher standards of care such as normal or reasonable care, good works, and exemplary care. Engineers should be encouraged to explore higher levels of care and responsibility; but this is held back by the specter of blame. It is certainly appropriate to hold engineers responsible and blameworthy for failure to live up to minimum standards of care and practice. But above this level, when should blame drop out. Certainly engineers who fall below

reasonable or normal standards exhibit moral deficiency. (The term comes from Ladd.) But what about taking on tasks that are above and beyond the call of duty? Suppose an engineer elects not to bring about a good work or make a substantial self-sacrifice to obtain a community good. Certainly such an action cannot be blameworthy since it falls well above the minimum threshold of acceptable practice. Nor does it seem to admit of moral deficiency. Hence, as responsibility is projected into increasingly positive and supererogatory space, what terms should we employ to replace blame, punishment, and moral deficiency? See Martin Curd and Larry May, "Professional Responsibility for Harmful Actions" in **Module Series in Applied Ethics**, Center for the Study of Ethics in the Professions, Illinois Institute of Technology Kendall/Hunt, 1984. See also **Engineering Ethics: Concepts and Cases**, Chapter 5.

Criminal Responsibility

- This area of the law applies to human individuals.
- To prevail in a criminal trial, one must first prove **mens rea** or a guilty mind. This is essentially an intention to break the law, to commit the crime in question.
- It is also necessary to prove that the target of a criminal suit have actually committed the guilty, law-breaking action, termed an **actus reus**.
- Finally, it is necessary to prove that the **mens rea** caused and guided the execution of the **actus reus**

Back to O.J. Simpson

- Reflecting on the trial of O.J. Simpson can help distinguish burden of proof in a civil and criminal law. Burden of proof is what the plaintiff has to prove to prevail against the accused or defendant. In a criminal trial, the burden of proof is set quite high. (Why do you suppose this would be?) The prosecution has to prove the defendant guilty "beyond a reasonable doubt." It is lower in a civil trial where the plaintiff only has to prove the case against the defendant by establishing a "preponderance of evidence." This is largely quantitative; if 51% of the evidence falls on the side of the plaintiff, then the case against the defendant stands.

- OJ Simpson was found innocent in the criminal trial. The prosecutors were unable to establish his guilt beyond a reasonable doubt.
- But in the civil trial, his accusers were able to accumulate a preponderance of evidence against him. The difference in burden of proof thus explains why Simpson lost the civil trial but won the criminal trial.

Corporate Responsibility

While this is not the place to discuss this topic in detail, a few things can be said of corporate responsibility in summary. This notion, to say the least, is controversial. Much of this follows from the characteristics of criminal responsibility. To be criminally responsible, one must have a guilty state of mind (**mens rea**), carry out a guilt or law-breaking act (**actus reus**), and there must be a close connection between the two such that the mens rea guided the actus reus in its design and execution. But to attribute moral responsibility to a corporation would be to anthropomorphize it, to attribute to it a personality that would include mental states and body that existed above and apart from the minds and bodies of its members or employees. One ethicist, John Ladd, warns that this stretches to a breaking point, the thin concept of moral personhood; applying this to corporations empties personhood of its content and renders the concept ineffective. Or as John Danley puts it, there is nothing wrong with the anthropomorphic bias (read focus or meaning) of moral concepts such as responsibility, agency, and personhood. See Manuel Velazquez, "Why Corporations are Not Morally Responsible for Anything They Do," **Business and Professional Ethics Journal**, Vol. 2, No. 3: 1-18.

Nevertheless, there are credible arguments for corporate responsibility based on the premise that attributing responsibility to corporations does not preclude holding human individuals responsible. Peter French argues that under certain conditions, the actions of human individuals can be redescribed as corporation actions. The "device" that "licenses" this redescription is called a Corporate Internal Decision Structure or CIDS. (See French, Collective and Corporate Responsibility. Complete reference below.)

Constituents of CIDS

- **Corporate goals.** These are either objectives found in the charter or informal ends that can be uncovered by becoming immersed in the day to day operations of a corporation.
- **Corporate decision making and recognition procedures.** These compose the grammar of corporate actions. Included would be procedures for soliciting travel funds, standard operating procedures, hiring and firing practices and other procedures that are followed for routinely corporate acts. These are at the center of attributions of corporate responsibility for these procedures are the ways in which we can see that an action has been authorized by the organization within which and for which it was performed.
- **Corporate roles.** Was the action performed by an individual designed to carry out a corporate role or was this action performed by the individual in some other capacity?
- **Corporate Organizational or Management Systems.** These systems display the relations of the corporate roles and the individuals occupying them. Usually portrayed by the corporate flow chart, these can display any number of kinds or types but two that come to mind. In hierarchically structured organizations power flows down the chain of command while information flows from the bottom-up; in horizontally organized corporations, power is distributed across relatively autonomous interdisciplinary work teams, each of which is designated responsible for the performance of certain tasks.

Kinds of Responsibility

The root metaphor of responsibility is "response to essential relevance" or "response to relevance." But this root metaphor has been used to structure different moral, legal, social, and other practical domains. The result are several different senses of responsibility. This section will help you sort out some of the different senses by providing brief, provisional definitions of causal, capacity, blame, role, and corporate responsibility.

- **Causal Responsibility:** Physical motions or events produce other physical motions or events. The hurricane blew the panel off the roof and caused other damage to the house.

- **Capacity Responsibility:** Conditions for attributing an action to an agent for the purposes of assigning moral praise or blame.
- **Blame Responsibility:** Blaming individuals for their actions, attitudes, or characters that result in untoward or negative consequences
- **Role Responsibility:** To stand committed to realizing the values, goods, or interests around which a social, occupational, or professional role is built or oriented.
- **Corporate Responsibility:** The legal and moral practice of treating corporations as moral agents (not necessarily as persons) and holding them accountable or answerable for their actions. Corporate moral responsibility should not exclude attributing moral responsibility to individuals for their actions. Yet, under special conditions, the actions of individuals can be re-described as corporations or re-description can reveal a corporate dimension or aspect to individual actions.

There are different accounts of types of responsibility in H. L. A. Hart, "Responsibility and Retribution," in *Computers, Ethics and Social Values*, Deborah G. Johnson and Helen Nissenbaum, Eds. Upper Saddle River, NJ: Prentice Hall, 1995, pp. 514-525 as well as K. Baier, "Types of Responsibility," in *The Spectrum of Responsibility*, Peter A. French, Ed. New York: St. Martin's, 1991, pp. 117-122.

Useful Responsibility Frameworks

Responsibility has positive and negative senses. In its negative sense, responsibility is the practice of assigning blame and setting the stage for punishment as a means of discouraging modes of action that lead to bad results. But the positive sense--so to speak--pivots off this negative sense and reconstructs the negative and reactive as positive and proactive. (More on this below.) This section presents F.H. Bradley's conditions of imputability, requirements that must be in place in order for us to hold one another responsible for our actions and their results. Combining the perspectives of Bradley and Strawson, we could say that one fits into the **participant attitude** if one satisfies the conditions of imputability, that is, self-sameness, moral sense, and ownership. Failing this, one could still be in the participant perspective but, due to special circumstances, be unable (temporarily) to act responsibly. But Strawson's **objective attitude** is more

fundamental and applies to children, the disabled, and the insane. In this case, we are dealing with individuals who are incapable of fulfilling the conditions of imputability, especially self-sameness and moral sense. In this case, the individual falls outside the practice of responsibility, the participant attitude, and into what Strawson terms the objective attitude. We can treat such an individual as "as a possible predictable entity 'to be managed or handled or cured or trained; and perhaps simply to be avoided.'" (Margaret Urban-Walker in **Moral Repair** quoting--in part--Strawson, "Freedom and Resentment."

Capacity Responsibility (Conditions for Imputing or Assigning Responsibility)

- **Self-sameness (Identity):** The agent caused the action and the agent's identity persists or continues from the moment of act to the moment of accountability. F.H. Bradley: "I must be throughout one identical person. We do not say, 'He is not the same man that he was,' but always in another sense, to signify that the character or disposition of the person is altered." **Ethical Studies**, 5
- **Moral Sense:** The agent has skills pertinent to honing in on moral relevance and collecting thought, emotion, and will into responsive action. As Bradley puts it, "Responsibility implies a moral agent. No one is accountable, who is not capable of knowing (not, who does not know) the moral quality of his acts. Wherever we can not presume upon a capacity for apprehending (not, an actual apprehension of) moral distinctions, in such cases, for example, as those of young children and some madmen, there is, and there can be, no responsibility because there exists no moral will." **Ethical Studies** 7
- **Ownership:** Minimally, this condition requires the absence of ignorance and compulsion. As Bradley puts it, "it [the act] must have belonged to me--it must have been mine....The deed must issue from my will; in Aristotle's language, the arche must be in myself. ["Arche" is the Greek word for beginning or principle.] Where I am forced, there I do nothing....Not only must the deed be an act, and come from the man without compulsion, but, in the second place, the doer must be supposed intelligent; he must know the particular circumstances of the case;;;If the man is ignorant, and if it was not his duty to know...then the deed is not his act." **Ethical Studies**, 5-6.

- Ignorance and compulsion are not excusable if they result from past, negligent actions. For example, if my failure to find crucial information in the past--"I don't want to know..."--caused my present ignorance it is not excusable. If my past actions and choices got me into the present compelling situation, then I am also responsible.
- Bradley's definition of compulsion is, roughly, the production in an individual of a state of mind or body that is contrary to his or her actual will. Holding a loaded gun to my head and telling me to sign the contract, is compulsion because the fear it produces in my mind leads me to an action that, absent the gun, I would not do. Tripping me produces a state of body--falling--that is contrary to my actual will of standing straight.

More on Strawson

- **Participant reactive attitudes:** "What I have called the participant reactive attitudes are essentially natural human reactions to the good or ill will or indifferences of others towards us, as displayed in their attitudes and actions" Strawson, "Freedom and Resentment," 10-11. For Strawson, responsibility arises when we hold one another responsible for living up to certain standards and when we respond with "reactive attitudes" when there is a failure to live up to these standards.
- **Objective attitude:** "on the other hand, [the objective attitude] withholds subjecting oneself and others to reactive attitudes. In cases of insanity, childhood, or some other relevant deficiency, the individual does not fit in the network of relations supported by reactive attitudes." "Freedom and Resentment" 18-19.
- **Examples:** Resentment, Indignation, Shame.
- **Positive Correlates:** Gratitude, Admiration, Pride

Responsibility as a Virtue

Responsibility, when reconstructed in exemplary moral space, becomes a virtue, the pursuit of an excellence. This section pivots from the reactive model set forth by thinkers like Bradley and Strawson to a more prospective model. This positive model that portrays responsibility as a virtue targets

three skill sets: Role-taking, transperspectivity, and techno-social sensitivity.

- **Role-Taking:** Projecting into the standpoints of others to assess situations, formulate moral relevance, and outline actions. Requires the ability to explore multiple perspectives (multiple framings) and to move quickly from one to the other.
- **Transperspectivity:** "unravel or trace back the strands by which our constructions weave our world together." Also, the ability to "imagine how the world might be constructed differently." Johnson quotes Winter in Johnson 1993, 241. Steven Winter: "Bull Durham and the Uses of Theory" in Stanford Law Journal, 42, 639-693.
- **Techno-social Sensitivity:** From Harris, SEE 2008: "Critical awareness of the way technology affects society and the way social forces, in turn, affect the evolution of technology."

Exercises

Identify the Relevance and Response components of the following cases:

- The disciplinary tribunal of the Puerto Rico State Society of Land Surveyors and Professional Engineers has a moral tribunal that investigates violations of the society's code of ethics. Individuals brought before the tribunal and found guilty of code violations are subject to temporary or permanent expulsion from membership of this professional society and from the privileges of attendant upon being a licensed professional engineer. Discuss rule compliance from the standpoint of "response to relevance." What is the relevance component? What is the response component?
- The Puerto Rican government held public hearings to review a private company's petition for permission to build a windmill farm on privately owned land located near a publicly owned nature preserve. (Bosque Seco de Guanica) The public hearings were held in a distant place, at an expensive and exclusive facility, and at an inconvenient time for many of those opposed to the project. This activity was not well publicized. What aspects of this situation fall under the umbrella

- of moral salience or moral relevance? What would be morally appropriate responses available to those opposing the project?
- An engineer passes a laminating press room and notices that a fine white powder covers everything in the room, including the operator. The engineer talks with the operator and finds out that he has been working at this position for ten years. The operator says he is not aware of any evidence that this powder is dangerous or hazardous but has not really looked into the matter. He also appears not to be using any safety equipment to avoid exposure to the white powder. What is the moral salience of this situation? What would be some relevantly moral responses to this salience?
 - A family is without electricity in the aftermath of a severe hurricane in a tropical country. Neighbors have generators which they run all day and night to keep their houses air conditioned and their appliances continually running. The family without a generator finds that the noise from their neighbors generators prevents them from sleeping at night. They finally give up staying in their house and stay in a hotel for the duration of the time it takes to restore their electricity. What is the moral salience of this situation and what are possible responsive actions that the neighbors with generators could take?
 - Nathaniel Borenstein is a pacifist. He is also a computer programmer whose skills are in high demand for those developing military technology. But he has a strong commitment not to collaborate with the military or associated industries. So when NATO contacts him to assist them in building a training program for missile launchers, he politely but firmly refuses their overtures. But when he learns that the training program they have developed so far is embedded, he reconsiders his vow of non-participation. An embedded training program could mistakenly inform trainees that the system was in training mode when it was actually in operational mode. What is the moral salience of this situation and what is it about Borenstein that makes him uniquely qualified to attend to this moral salience? What kind of responsive actions are available to Borenstein? Would continuing his policy of non-participation be considered one of these options?

Responsibility in Dickens' Bleak House

Bleak House is a novel written by Charles Dickens. In it, Dickens creates characters who embody different models of responsibility. Below are these characters and a brief sketch of their approach to responsibility. Read the sketches below. Then answer the following questions.

Character Sketches

- **Esther Summerson:** Esther believes in helping those around her. While she spends almost no time worrying about her own needs, she is entirely focused on those of her surrounding family, guardian, friends, and community. She finds an abstract conception of duty to be both difficult to comprehend and distracting since she is quite busy with helping those in her immediate surroundings.
- **Mrs. Jellyby:** Jellyby is entirely focused on the plight of the natives of the distant country, Borioboola Gha. She works tirelessly writing letters that inform others of their plight. She organizes activities to raise funds to help develop coffee plantations and to provide hungry children with food. While focused on the distant, she is completely unaware of what is going on around her. Her husband has lost his work and is depressed. Her children—we never know how many—run around unsupervised. There are several servants in the household but they drink, argue among one another, and generally do little to carry out their basic duties. When introduced to Jellyby, Esther notes jellyby's peculiar habit of looking through one as if she were focused on the distant plight of those in Borrioboola Gha. Dickens calls Jellyby a "telescopic philanthropist."
- **Harold Skimpole:** Harold Skimpole presents himself as a child. His lot in life is to give others pleasure by helping him. As for his own situation, he has a family that he neglect but somehow finds ways of attaching himself to those who supply him with the finer things in life: good food, drink, and fine clothes. He incurs debts which he foists off on other by pleading that he is incapable of understanding figures. He is but a child and all he asks for is to be able to live and to enjoy life.
- **Richard Carstone:** Richard Carstone is a handsome and talented young man. But he has trouble focusing on a career. He engages in studies in medicine and the law but is unable to focus on them and soon abandons them for a career in the military which he also abandons. He is a minor party to a long and complicated lawsuit. He

devotes himself to its resolution placing all his hopes and efforts on coming into a substantial inheritance. His guardian, who was initially the source of his trust and love, is later seen by him as an opponent in the lawsuit. He interprets all his guardian's actions as motivated by the desire to win the lawsuit and to claim the money that properly belongs to him (Richard).

- **Mr. Tulkinghorn:** Tulkinghorn is a highly regarded lawyer, a keeper and discoverer of secrets. He has a very British view of society. A person's duty is to stay loyal to the duties of the station in which he or she was born. Those born aristocratic carry out their station of high fashion and the maintenance of large estates while those who are poor are relegated to working in the drastic employments available to their station. His job is to keep people in their stations and to prevent the rise of those who would usurp the stations of those born higher. In this way, he uses the law to maintain the natural order of society.

Questions:

- Which model of responsibility works best for you, Esther's "circle of duty" model where one starts with one's immediate surroundings or Jellyby's "telescopic" model where one focuses on the distant. Start by considering what would be the strength and weaknesses of each.
- Do you believe Skimpole is sincere in his project of avoiding responsibility. What kind of actions or thinking could Skimpole show that would give the lie to his claim that "I am only a child"?
- Richard places all of his hopes and dreams on the resolution of the lawsuit that encircles all the characters of Bleak House. Do you think this project sustainable? How could such a commitment render one less responsible, that is, less capable of response to relevance?
- Dickens seems to imply by his portrait of Jellyby and Esther that one can either attend to one's immediate surroundings or one can focus, telescopically, on what is distant. Is this "disjunction" necessarily the case? Can you think of anyone who has managed to combine both perspectives? Can you think of anyone else like either Esther or Jellyby? How are they able to balance these poles of responsibility?
- Dickens takes exception to two themes embodied in the lawyer Tulkinghorn. First, Tulkinghorn reduces moral responsibility to legal

responsibility? What do you think Dickens finds wrong with this. Second, for Tulkington, the goal of legal responsibility is to maintain social order. Tulkington's conception of social order is, in many respects, Medieval. He finds social order in every person's finding their station or social position, remaining loyal to that station, and performing its attendant duties. When someone rises above their station, Tulkington feels it his duty to put them back in their place. What do you find wrong with this project? Do you think this problem endemic to responsibility or merely to Tulkington's particular view of responsibility?

Teaching Responsibility: Pedagogical Strategies or Eliciting a Sense of Moral Responsibility--SEAC 2013

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Value Profile: Respect

This module profiles respect, one of the five values included on the Statement of Values prepared by the College of Business Administration at the University of Puerto Rico at Mayaguez

Respect: Recognizing and Honoring Rights

Respect is one of the five values included in the Statement of Values developed by the University of Puerto Rico's College of Business Administration. The following statement of respect was drafted by a committee of academic stakeholders in 2006:

Acknowledge the inherent dignity present in its diverse constituents by recognizing and respecting their fundamental rights. These include rights to property, privacy, free exchange of ideas, academic freedom, due process, and meaningful participation in decision making and policy formation.

The purpose of this module is to explore this value further by developing a conception of rights that are treated as modes of respect for human autonomy.

Along these lines, this module will present a framework for explaining and justifying rights and showing the correlativity between rights and duties. This framework is useful to explain and clarify widely accepted rights claims as well as to examine critically less widely accepted, more controversial rights claims. The content of the rights-based approach is summarized below in a table. Different sense of autonomy, loosely interpreted from *Ética Para Ingenieros*, help to provide a rough justification for the notions of rights. Finally, exercises help students progress from justifying and understanding non-controversial rights claims, to examining more questionable (and complex) rights claims, to examining rights in the context of community development and appropriate technology.

Six Statements on Rights

1. Definition: A right is an essential capacity of action that others are obliged to recognize and respect. (The key word is “essential.” Essential here means essential to the development and maintenance of autonomy. For more on autonomy see below.)

2. Definition: A duty is a principle that obliges us to recognize and respect the autonomy of others (and of ourselves).

3. Correlativity of right and duty. Rights and duties are correlative; for every right there exists a series of duties that spell out how to recognize and respect the corresponding right, who should recognize and respect this right claim, and on what occasions.

- Note that duty and right are defined, one in terms of the other. A right is a capacity of action that others are obliged (=have a duty) to recognize and respect. A duty obliges us to recognize and respect the autonomy (=rights) of others.
- For every right, there is a correlativity duty to recognize and respect that right claim. (Actually a whole series or levels of correlative duties).
- Rights (as modes of exercising autonomy) while essential to being human are also fragile, that is, vulnerable to certain kinds of threats. If the capacities or capabilities bundled under a right are not exercised or protected from these standard threats, then they disappear. (For example, humans are capable of speech but only if at certain key developmental times, they are exposed to and stimulated by speech.)

4. Rights claims have to be justified. A claim is a legitimate right if...

- It harbors a capability, the exercise of which is essential to autonomy. For example, without general and specific information, one cannot exercise one's agency in an autonomous fashion. Thus informed consent is essential to autonomy.
- It remains vulnerable to a “standard threat.” For example, one cannot exercise autonomous agency if one is deceived or if information crucial to responsible, autonomous action is covered over or withheld. Hence, a standard threat to informed consent is presenting false information or covering up true and vital information.

- That the correlative duties it requires to recognize and respect autonomy do not deprive the duty-holders of anything essential. For example, I may have a right to life but that right cannot be extended to the point where I can oblige another to sacrifice her life so that I might live. To assert my right to life at the expense of others is to deprive them of something essential to their autonomy, namely, their life.

5. For every right there are correlative duties to (a) not violate or deprive another of that right, (b) prevent others from depriving individuals of their rights, and (c) aid those who have been deprived of their rights and thus restoring their dignity and autonomous agency.

These duties can rest on duty-holders who are individuals or on collectives such as organizations or institutions. For example, individuals have the duty not to deprive others of their privacy by hacking into their email accounts and reading their messages. On the other hand, the institution of civil law provides a means of aiding those who have been deprived of rights like privacy and property. This represents a collective rather than an individual duty-holder.

Table on Rights and Duties

Concept	Definition	Elaborations	Examples
Right	An essential capacity of action that others are obliged to recognize and respect.	Framework to justify right claims: (a) Essential to autonomy; (b) Vulnerable to a standard threat; (c)	Some Key Rights in Business: Free and Informed Consent, Due Process, Privacy, Free Speech, Property, and

		Feasible in that recognizing and respecting right claims does not deprive the duty-holder of something essential.	Freedom of Conscience
Duty	A principle that obliges us to recognize and respect the autonomy of others (and of ourselves).	Duty Levels: (a) Not to deprive; (b) Prevent deprivation; (c) Aid the deprived	These two Kantian Principles encapsulate respect for Autonomy: (1) Categorical Imperative: Act only on that maxim that can be made into a universal law; (2) Formula of the End: Treat others always as ends and never merely as means.
Correlativity of rights and duties	The definition of right	Because rights and duties are	This is a controversial thesis.

	<p>includes the concept of obligation or duty. The definition of duty is built around recognizing and respecting rights.</p>	<p>defined in terms of one another they are correlative; for every right there is a series of correlative duties.</p>	<p>Nevertheless, the correlativity thesis harbors the truth that rights neither exist nor function in a vacuum. To characterize rights as claims is to imply that they are claims over someone to do something. Especially important is the notion that rights identify capacities of action that are vulnerable to standard threats.</p>
<p>Rights Justification Framework</p>	<p>To establish a rights claim as legitimate, one must prove that the claim is...</p>	<p>(1) Essential to autonomy; (2) Vulnerable to a "standard threat"; (3) Feasible in that it imposes on the duty-</p>	<p>In relating the right claim to autonomy, remember to connect it to one of the four senses of autonomy discussed below: (1)</p>

		holders an obligation whose execution does not deprive them of something essential.	Self-Choice; (2) Self-Legislation; (3) Authenticity; (4) Self-Decision.
Identifying Correlative Duties	Correlative duties form levels and often proceed from basic individual duties to social or collective duties	(a) Duty not to deprive an individual of a right; (b) Duty to protect others from being deprived of their rights; (c) Duty to aid those who have been deprived of their rights.	The first two correlative duties are generally carried out by individuals: (a) For example, one cannot deprive others of their rights to informed consent by withholding information; (b) If someone else is withholding information and one can prevent deprivation by revealing this information, then one has a duty to do so; (c) But often

			societies collectively aid those who have been deprived of their rights by creating legal procedures that those suffering rights deprivations can appeal to.
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Rights as modes for recognizing and respecting autonomy

Four Senses of Autonomy: Self-Choice, Self-Legislation, Authenticity, and Self-Decision

In this module, rights have been explained as capacities of action that are necessary to the exercise of human autonomy. In this section, autonomy will be characterized as self-choice, self-legislation, authenticity, and self-decision following **Ética Para Ingenieros**, 2a Edición, by Galo Bilbao, Javier Fuertes, and José Ma Guilbert, Universidad Jesuistas, 160-164. Bilbao, Fuertes, and Guilbert draw from the writings of Diego Gracia, in **Fundamentos de Bioética**, Eudema, Madrid. What follows draws upon but also takes some liberties with the accounts by Diego Gracia as well as Bilbao, Fuertes, and Guilbert.

1. The literal meaning of autonomy comes from the Greek words, auto (=self) and nomos (=law).

Thus, autonomy is literally the ability to give the law to oneself, to legislate for oneself. This presupposes that one can adopt a rational and universal standpoint and design rules or maxims that apply equally to oneself and to all others. I develop rules and guidelines for myself that, at the same time, I can consistently will for all others.

2. Autonomy as self-legislation ties in closely with Kant's Categorical Imperative and Formula of the End.

The Categorical Imperative holds that **I can act only on that maxim (=personal or subjective rule) that can be converted into a universal law (=rule that applies to all)**. Cheating for example, fails the CI because its maxim (I can copy from another when I need to) is self-defeating when universalized. (Why?) The Formula of the End states that **I must treat humanity (myself included) always as an end and never merely as a means**. Whenever I lie, deceive, force, manipulate or impose fraud on another to achieve my ends, I seek to circumvent that person's autonomy; I bring her into the scope of certain projects without getting her explicit and full rational consent. (I ask an acquaintance out for a date, not because I value her as a person, but because I want to make my ex-girlfriend jealous.)

3. Many say that the ability to exercise autonomy as self-legislation rests upon the ability to take the moral point of view.

Here one takes up the position of the other through a skill moral psychologists call "role-taking." I project into the standpoint of another and view the action I am considering from her perspective. If this action is as acceptable from her perspective as it is from mine, then it is reversible, and thereby recommended.

4. Autonomy can also be characterized as the synthesis of freedom from and freedom to.

- **Freedom from** is liberty, the absence of obstacles that stand in the way of what an agent wants to do. Because of this, freedom from is the negative sense of autonomy; it clarifies what opposes autonomy and must be removed to facilitate it. But freedom from does not provide a positive account of what one does after all obstacles to action have been removed.
- **Freedom to** is the positive characterization of autonomy. It spells out what I do when I have achieved freedom from. It requires a conception of the good as well as identity-conferring projects that I work to bring about. It also sets forth side constraints such as Kant's Categorical Imperative and Formula of the End. Thus, I develop life plans whose realization requires access to the means to carry them out. But these plans are pursued within the constraints that Kant sets forth in the

Categorical Imperative and Formula of the end; I can solicit the help of others in pursuit of my projects but only if I do so without circumventing their autonomy through deception, force, manipulation, or fraud.

- Isaiah Berlin provides an especially clear and persuasive account of freedom to and freedom from in his article “Two Concepts of Liberty.”

5. Bilbao, Fuertes, and Guilbert distinguish four senses of autonomy

1. Autonomy as **self-choice (autoelección)**. This sense covers the negative sense of freedom, freedom from obstacles to pursue my preferences and wishes. Mill gives voice to this conception of autonomy in his book, *On Liberty*. (See his classical defense of freedom of speech.) Autonomy in this sense is based on the removal of obstacles that impede my exercise of freedom. Thus, the right to an education is characterized as removing obstacles to my becoming educated; it also gives me access to means of becoming educated. What I learn, the content of my education, is left open to determination by the individual; Mill sets forth an indefinite and wide range of options for exercising "freedom to."
2. **Autonomy as self-legislation (autoleislación)**. As described above this is the Kantian sense in which individuals exercise the capability of giving the law to themselves. This includes a moral aspect or dimension: we discipline our individual lives by developing rules to guide our own lives that can also be extended to all others. We conceive of ourselves and others as living within what Kant terms a "kingdom of ends" where all, because they possess certain human capacities, are entitled to being treated always as ends and never merely as means. This sense of autonomy is the one most explicitly tied to respect.
3. **Autonomy as authenticity (autenticidad)**. This sense of autonomy recognizes the extent to which the individual is influenced by his or her social and natural environment. For example, the philosopher F.H. Bradley carries out a thought experiment based on removing everything English from the English person and asking what is left over after this abstraction. Removing language, cultural norms, experiences generated interacting with others and rendering the

individual an isolated social atom deprives the individual of all determining content. Thus, Bradley terms the remainder an “I know not what” residuum; emptied of all social content, the individual becomes merely an indeterminate placeholder. This sense of autonomy starts from the fact that we are social beings who are shaped (enabled and constrained) by our social and natural context. It then shows how we find ourselves as individuals in this social experience and then act responsively: (a) I can criticize my social being and reject the social forces that work to constrain and channel my actions; or I can accept or acquiesce to these forces and choose to define myself by loyalty to my social context. Either way, I recognize myself in this social space and take responsibility for it by choosing my response. Much of this approach is captured by Existentialism; (b) This can also be understood in terms of moral development. For Kohlberg, the conventional levels of moral development are characterized by individuals making decisions based on what others think or advocate. For example, one conforms to others and bases one's choices on what is recommended by "authorities"; (c) One reaches post-conventional levels of moral development by questioning authority and other external sources of moral conduct. This is purchased through the achieving of critical distance by exercising the skills of moral imagination like multiple framing of one's situation or by role-taking to gain insight into the perspective of others.

4. **Autonomy as self-decision (autodecisión).** This sense is closely related to the previous sense of authenticity in that it involves recognizing oneself as embedded in a natural and social context, and then taking responsibility for one's subsequent choices, habits, and character as made within this context. In a manner different from Bilbao, Fuentes, and Guilbert, I will characterize self-decision along the lines of self-realization following Taylor, Aristotle, and Bradley: (a) According to Taylor, one finds oneself in a social and natural situation through "strong evaluation." Here one questions one's fundamental commitments (those that constitute one's identity) in a radical and fundamental way. Taylor characterizes strong evaluation as a **hermeneutical** act where one uses one part of one's self to attend to and question the other parts. (b) Aristotle also sets forth a self-realization ethics. Virtue (=arête) exercises and realizes those

capabilities which are most fully human. By exercising virtue, we realize our natures (and our selves) and become fully happy (=eudaimonia). (I have inserted the Greek words, *arête* and *eudaimonia* to show that Aristotle's concepts are only partially translatable.) (c) Bradley puts this differently. I realize myself by taking up a social station within society and performing its attached duties. Bradley makes use of an organic metaphor to characterize his version of self-realization. By taking up a social station and performing its duties, the individual becomes a functioning organism within society which is now viewed as a social or moral organism. The heart pumps blood throughout the body; by performing its function it also helps the body as organism to stay alive. Individuals by performing the duties of the moral organism help keep this moral order alive and properly functioning. (How do engineers and business persons contribute to the social good?)

Two thought experiments on autonomy

Mountain Terrorist

1. The Mountain Terrorist. One is visiting a remote village when, suddenly, it is overrun by terrorists. They line all the inhabitants in the village against a wall with the intention of killing them. When you remonstrate with the terrorists not to do this, they give you a choice: you can, yourself, select a villager and kill him or her with a gun they provide; or you can choose to do nothing in which case they revert to their original plan to kill everybody. Bernard Williams uses this thought experiment to point out the limits of utilitarianism which would dictate that one should kill a villager in order to save the rest. Perhaps this course of action would maximize utility. But how does it stand with one's sense of self and autonomy? For example, killing an innocent villager might be so disruptive of one's autonomy that it undermines future agency. It might go against one's identity-forming commitments or projects. If so, then guilt from killing an innocent person would undermine one's core beliefs, disrupt self and identity, and render future authentic action difficult if not impossible.

2. George the Chemist must choose between carrying out his responsibilities to his family and remaining true to his pacifism by

refusing to work with a company that would use his knowledge of chemistry to build war weapons.

- Are those who insist that George set aside his pacifist beliefs interfering with his autonomy? If so, to which sense of autonomy are you referring? Self-choice, self-legislation, authenticity, or self-decision?
- Many students have characterized George's reluctance to pursue work with the company that manufactures weapons as self-indulgence. They would say that while George's pacifism is important to George's sense of identity, he should be willing to sacrifice this in order to carry out his responsibilities to his wife and children. But if George sets aside fundamental commitments (like his pacifism) can he still remain integral and authentic?

What you are going to do

Exercise One: Use the frameworks presented in the table above to justify the following rights: informed consent, due process, privacy, property (physical and intellectual), free speech, freedom of conscience. Answer the following questions about each right.

1. Define or describe the right. Include an example.
2. Provide an argument that the right claim in question is essential to autonomy. That is, what capacity of action is protected by the right claim? How does the exercise of this capacity help an individual formulate and execute life plans that fulfill basic (rational?) desires? Why is the capacity of action essential and not merely trivial? (e.g., I have a right to scratch my nose in public when it itches.)
3. How is the capacity of action that the right protects vulnerable? (Why does it need protecting?) In other words, identify a standard or common threat that undermines an individual's ability to exercise this capacity of action.
4. What are the duties that are correlative to your right? Who are the duty-holders? What must others do to keep from violating your right claim? What kinds of agents are in a position to prevent others from

- depriving you of your right? What kind of social mechanisms should be created to aid those who have been deprived of their rights?
5. Is the right claim feasible? For example, you may have a right to life. A standard threat to this capacity of action (and being) may be failure in both kidneys. But does your right to life compel another, say a stranger, to donate a kidney to save your life? Does this mode of exercising your right deprive another of something essential?

Exercise Two: Use the frameworks to examine the following rights claims. Use the steps spelled out in Exercise One. Does the rights claim you are examining satisfy the steps in exercise one?

- right to a livable environment
- right to have adequate food, clothing, and shelter
- right to an abortion
- right to form unions and the right to strike
- right to have gainful employment (right to a job)
- right to an education
- right to full medical care

Exercise Three: Martha Nussbaum in Women and Human Development portrays “two women trying to flourish.”

1. Vasanti was compelled to marry at a young age. In her caste, women are generally treated as property; she went from the family in which she was raised to the family of her husband. Like property, her husband was free to dispose of her as he saw fit. He beat her, forced her to work, and took the wages she earned through work and spent them on his leisure and on alcohol. In order to fund his alcohol habit, he had a vasectomy for which he received payment from the government. This ensured that he and Vasanti would not have children, something Vasanti wanted for her emotional fulfillment and economic security.

- Does Vasanti have the right not to be treated as property?
- How would this right be formulated?
- What does it include? (For example, does it include the right not to be beaten or the right to be protected from forced, conjugal sex?)
- What essential capacities of action would this right protect?

- Do women like Vasanti have this right even though they may not be aware of it due to what is termed "preference deformation?"

2. Jayamma carried bricks for a living in order to support her family. Although her work was harder than that performed by men she was paid less than them. When she became too old to continue with this arduous labor, she applied for relief. The Indian government denied her relief because she had sons who were able to support her. Yet her sons, for various reasons, were not willing to support her. Her daughter, who was willing to support her, was a registered nurse. Yet she was not able to practice because she could not pay the money necessary to bribe hospital officials to give her a job.

- Does Jayamma have a right to equal pay (and equal treatment) in her employment? Does this right exist in itself or must it be derived from another, more fundamental right?
- If Jayamma has such a right, how can her society aid her as one who has been deprived of this right?
- Do Jayamma's sons have a duty to support her now that she is too old to work? If so, to what right is this duty correlative?
- Does Jayamma's daughter have a right to work in the profession (nursing) for which she is qualified? If so, what is the standard threat present in this situation that must be addressed to protect her right to work? How are the duties correlative to this right to work to be spelled out and distributed? (What individuals have which level of correlative duty? What organizations exist or could be devised to carry out some or all of the correlative duties?)

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Value Profile: Trust

This module is one of several that provides an in-depth examination of the values included in College of Business Administration's (from the University of Puerto Rico at Mayaguez) Statement of Values. It highlights the features of this value, provides a summary table, and uses the Prisoner's Dilemma to help students visualize the importance and fragility of trust. This module is part of a collection of modules that explores all five values included in the Statement of Values: justice, responsibility, respect, trust, and integrity. It is also developed as part of an NSF-funded project, the EAC Toolkit--NSF SES 0551779 and relates to the ongoing NSF project, GREAT IDEA.

Introduction

Trust is one of five values identified by the College of Business Administration at the University of Puerto Rico at Mayagüez for inclusion in its Statement of Values. These values were identified in a workshop held in 2005. There participants explored values in different codes of ethics, identified the values embodied in the rules they drafted to guide daily conduct, and carried out selection and prioritization activities to refine and reduce a large list of candidate values to five. A committee of stakeholders (administration, faculty, staff, and students) studied the values and wrote out short descriptions of each. Finally, the Statement of Values and its value profiles have been subjected to different challenges. Stakeholders have translated the SOV into Spanish, tested it for comprehensiveness using case studies, and used test results in classes to hone in on conceptual ambiguities. The SOV provides the following formulation of trust:

Recognize that trust solidifies communities by creating an environment where each can expect ethically justifiable behavior from all others. While trust is tolerant of and even thrives in an environment of diversity, it also must operate within the parameters set by established personal and community standards.

This conception of trust as the expectation of moral behavior from others comes largely from Robert Solomon. This module will build on Solomon's treatment by integrating it with that of Margaret Urban-Walker in her book, **Moral Repair: Reconstructing Moral Relations after Wrongdoing**. Trust is absolutely essential in constructing moral transactions and building a civilized life. But wrongdoing can disrupt--even destroy--social transactions, leaving civil ruin in its wake. As Urban-Walker explores the different ways to carry out moral repair, the restoration of trust emerges as an essential component. For example, she lists six tasks as constitutive of moral repair. Trust plays an essential role in the following two (MR 28):

- "Moral repair is served by replenishing or creating trust among individuals in recognition of shared moral standards and in their responsiveness to those standards and support of the practices that express and support them."
- "Moral repair is served by igniting or nourishing hope that moral understandings and those who are responsible for supporting them are worthy of trust."

Trust as a Concept

Below are five statements about trust that bring out important components about this concept. Moral concepts are not as easily defined or applied as mathematical or even scientific concepts. They are best approached by examples and by moving from clear and indisputable examples to more complex, grey-shaded ones. They are also approached by what Gilbert Ryle used to term conceptual cartography; one understands one concept by drawing out a map that conveys its relations to other, similar concepts. Understanding trust requires exploring its relations to concepts like responsibility and hope. Trust is a kind of sensitivity or responsiveness that arises in social relations; thus, it is a mode of responsibility. And trust is ignited, sustained, and restored through hope; when disrupted by wrongdoing and betrayal it can be restored by forgiveness. So our accounting of trust will touch on its relations to these related moral concepts.

1. Trust is reliance on responsibility

Trust has a central or core meaning that Urban-Walker characterizes as “reliance on responsibility.” I rely on others to behave responsibly in everyday social interactions; I also understand that they rely on me to behave responsibly. This is close to Solomon’s formulation of trust as the expectation of ethically justifiable conduct from others. But Urban-Walker inserts trust into the everyday moral relations and interconnections created by responsibility. As we will see below, trust is best understood by spelling out the context in which it functions where individuals interacting with one another, stand vulnerable to each other, and rely on one another to carry out the duties and projects of their lives.

2. Trust makes us vulnerable and dependent on the good will of others

Trudy Grover (as summarized by Urban-Walker) identifies several characteristics of operative trust (MR 79): (a) “expectation of benign behavior based on beliefs about a person’s motivation and competence;” (b) “an attribution of general integrity;” (c) “an acceptance of risk and vulnerability;” (d) a “disposition to interpret the trusted person’s actions favorably.” This list conveys the idea that trust makes us vulnerable to the actions of others while it makes them vulnerable to our actions. Trust, others words, arises only when we risk betrayal.

3. Trust requires taking up the "participant attitude."

Trust takes place within what the philosopher Strawson terms the “**participant attitude**” or participant standpoint. This standpoint is accompanied by reactive attitudes; should others fail to do what is expected of them or fall short of commonly accepted moral standards, then we respond with “reactive attitudes” like resentment and indignation. In fact, trust functions through a whole series of responsive emotions such as pride, shame, resentment, indignation, and hope. (MR 79) When we take up the participant standpoint, we become involved in the world and its interrelations and transactions. Opposed to this is what Strawson terms the **objective attitude** where these intentional and self-directed emotions do not apply because the agent, for some reason, fails to become involved in social and moral relations. Part of what it means to be moral is to be subject to these reactive attitudes as well as being able to direct them responsively toward others. Psychosis is defined as being unable to exercise reactive attitudes; one doesn't feel resentment or indignation or feels them inappropriately. Thus, trust must be understood as functioning within the participatory standpoint, that is, within a network of social and moral interdependencies and transactions.

4. There are several factors that motivate or encourage the development of trust.

- Urban-Walker presents motives that foster and maintain trust. She takes these from Pettit (MR 76-77). Thus, trust is motivated by...
- working to “keep the good opinion that my trust already displays”
- a “concern for reputation”
- “in pursuit of reciprocity”
- “out of fear of penalties for poor performance”
- “out of an impersonal sense of obligation” (76-77)

5. Trust, hope, and forgiveness.

Trust (and restoration of trust) is closely related to other attitudes such as hope and forgiveness. Hope (its futurity, desirability, possibility, and dynamic tendencies) opens one to responsive action in the future. Hope maintains trust and can even restore it when wrongdoing has undermined its proper functioning.

6. Ways of building trust.

The chart below also presents different strategies for creating and preserving trust as presented by psychologist, Steven Pinker. In his book, **The Better Angels of Our Nature**, Pinker provides a sustained argument that evil and violence have gradually diminished throughout the history of human kind. This decline is caused by an increase in trust in much the same way that cooperation places Prisoner Dilemma iterations on target toward the common good. Think about how the Pacifist's Dilemma, Leviathan, Commerce, Feminization, and Cosmopolitanism and Reason can be modelled in the context of the Prisoner's Dilemma. (See below)

Trust Table

Core Meaning or Root Metaphor(1,1)	Description(1,2)	Features(1,3)	Exercises in Trust (Steven Pinker: The Better Angels of our Nature(1,4)	Cases and Examples(1,5)
The expectation of moral conduct on the part of others (Solomon)(2,1)	Urban-Walker: "Trust, in several varieties, is an attitude of reliance on others that holds those others responsible for the performance on which we rely" 27(2,2)	Attributes from Trudy Grovier summarized by Urban-Walker: (a) "expectation of benign behavior based on beliefs about a person's motivation and competence;" (b) "an attribution of general integrity;" (c) "an acceptance of risk and vulnerability;" (d) "disposition to interpret the trusted person's actions favorably;" 79(2,3)	Pacifist's Dilemma: "Common good dictates a strategy of peace. But individually, aggression is the best choice to protect against being the victim of aggression oneself."(2,4)	Death and the Maiden (Dorfman): a woman victimized under a South American dictatorship, has a chance to confront the man she believes raped her during the dictatorship. (2,5)
Urban-Walker: "I propose, then, that we think of interpersonal trust generically as a kind of reliance on others whom we expect (perhaps only implicitly or unreflectively) to behave as	"expectation of others for recognition of shared moral standards" and their "responsiveness to those standards and support of the practices that express and enforce them" 28(3,2)	(3,3)	Leviathan: "The Leviathan (power, state, authority) is charged with maintaining peace by being endowed with the authority and power to punish the aggressor. by overawing potential aggressors and self-serving human nature, the	House of Games: A confidence man, Mike, explains how he gains the trust of the mark by seeming first to give his own trust.(3,5)

relied upon...and to behave that way in the awareness...that they are liable to be held responsible." 78(3,1)			Leviathan creates an additional external incentive that pushes potentially warring parties toward peace." (3,4)	
Expectation of others to perform as relied upon(4,1)	Karen Jones: "trust is an affective attitude of optimism about the good will and competence of another in the domain of our interaction that creates an expectation that the other will be moved 'directly and favorably the thought that we are counting on her" 75(4,2)	Motives engendering trust from Pettit as summarized by Urban-Walker: "(a) 'keep the good opinion that my trust already displays" (b) 'one may also be responsive to trust out of concern for reputation" (c) 'in pursuit of reciprocity" (d) 'out of fear of penalties for poor performance" (e) 'out of an impersonal sense of obligation"(4,3)	Commerce: "Commerce, working through markets of exchange of goods, makes collaboration and peace mutually advantageous. The invisible hand of the market place steers our aggressions toward the common good." The market properly aligns incentives.(4,4)	Classroom Behavior: (a) The classroom consists of relations of trust where we rely on one another to live up to standards of academic honesty. (b) Failure triggers participant reactive attitudes like resentment and indignation. (4,5)
The participant attitude toward reliance in which I am prepared to hold you responsible for doing what I assume you should do 80(5,1)	Anette Baier: "Trust is accepted vulnerability in relying on the good will and competence of others to 'take care' of something the truster cares about." 76(5,2)	(5,3)	Feminization: "Replacing masculine virtues of honor and audacity with feminine ones of care and stewardship, we remove incentives to war."(5,4)	Financial Crises: Former Goldman Sach executive claims that GS called clients "Muppets" and would think nothing about unloading bad investments on those with less experience and financial savvy. (5,5)

Root Meaning: “reliance on responsibility” (from Urban-Walker) with a close connection to Strawson’s participatory reactive attitudes such as resentment and indignation. (6,1)	(6,2)	“Focus of trust” (closely paraphrased from Urban-Walker): (a) description within trust relation of distinct actions (b) designation of a task (c) reference to roles characterized by “standard assumptions” (d) mutually understood expectations developed in an ongoing relation (e) reference to general or specific norms 80-1(6,3)	Cosmopolitanism and Reason: “Cosmopolitanism expands the circle of sympathy to a global reach while replacing warrior emotions and passions with reason. (See Kant’s recommendations for a Perpetual Peace.)(6,4)	Given regulatory gaps (and costs) and the need for a broad participation of individuals in financial markets, can finance perform its function (moving money throughout an economy) without trust? (6,5)
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Table Summarizing Features of Trust

Prisoner's Dilemma

Imagine that two patriotic spies, A and B, have just been captured by the enemy. Both are placed in separate interrogation cells and are being pressured to confess and provide details about their spying activities. A and B would like to coordinate their actions but the enemy has kept them apart to prevent this. In their malevolence they wish to pit A against B in order to get the desired information. To do this, they have set forth the following systems of motivations, i.e., punishments and rewards.

Options

1. If both A and B confess then A and B are put in jail for five years each. The net loss in this scenario is 10. This is the least desirable alternative from the collective standpoint.
2. If one (A or B) confesses while the other does not, the confessor is released immediately while the non-confessor gets seven years in prison. This is the self-interest maximizing option for the confessor and the worst possible option for the non-confessing prisoner. Loss for confessor: 0. Loss for non-confessor: 7. Net loss: 7
3. If both do not confess then after six months of half-hearted interrogation (most of this time is for processing the prisoners' release), both are set free for lack of evidence. While not maximizing self-interest (this lies in one confessing while the other remains silent) this does maximize overall welfare by producing a net loss of only 1.

Prisoner A / Prisoner B	Confess	Not-Confess
Confess	Both A and B confess. This is the worst option collectively considered. Net loss: 10	B confesses while A does not confess. B maximizes self-interest while A suffers maximum individual loss. Net loss: 7
Not-Confess	A confesses while B does not confess. A maximizes self-interest and B suffers maximum individual loss. Net loss: 7	Both A and B do not confess. 0.5 loss to each (second best individually) while collectively considered this is the best outcome. Net loss: 1

Summary Table

The Prisoner's Dilemma is designed to model the reality of corporate governance where the directors/owners of a corporation delegate responsibility for the corporation's operations to managers who are charged with pursuing, not their own interests, but those of their directors. The problem of corporate governance is how to institutionalize this cooperative arrangement. Can managers be left alone and trusted to pursue the best interests of the corporation? This is the position of stewardship theory. Or is it necessary to design a system of external controls and incentives (mostly punishments but some financial rewards) to keep the managers from diverting the operations of the corporation toward their exclusive, self-interests?

The latter approach is taken by agency theory. Here human nature precludes that managers will carry out the interests of directors unless externally motivated to do so. Naturally inclined to maximize self-interest, managers must be forced in the direction of director and owner interest through external incentives such as punishments and rewards (formulated in terms of incentives for producing results of value to the corporation as a whole).

The repeated iteration version of the Prisoner's Dilemma attempts to model this debate between agency theory and stewardship theory. If one holds that cooperation only arise through "tit for tat" strategies, then one advocates agency theory. If, on the other hand, one holds that repeated iterations build trust and give rise to altruistic activity, then one is more sympathetic to stewardship theory which holds that managers can set aside rational self-interest and act as stewards who represent or embody the interests of the owners.

The Prisoner's dilemma is discussed throughout the literature in business ethics. For a novel and insightful discussion in the context of corporate responsibility see Peter A. French, 1995 **Corporate Ethics** from Harcourt Brace College Publishers

What you are going to do

Exercise One

- Play the Prisoner's Dilemma game with one of your group members.
- Make sure you understand the options and the rewards and punishments associated with each. If you confess while your teammate does not confess, you get 0 points while your teammate loses 7. If you both confess, you each lose 5 points for a net loss of 10. If you both decide to not confess, then you each lose 0.5 points with a net loss of 1.
- Play only one round.
- Do not discuss what you are thinking with your teammate. Remember the enemy is keeping you separate to prevent collaboration.

Exercise Two

- This is the same as exercise one except you will play multiple rounds. Your teacher will not tell you how many rounds you are playing until you reach the last round.
- What is the difference between playing only one round and playing n rounds?
- Where are you more likely to compete or anticipate competing? When you are playing only one round, when you play several rounds and know in advance how many, or when you are playing an indefinite number of rounds and now find yourself on the last round?
- What can you do as a player to motivate your teammate to cooperate rather than compete? How should you respond when your teammate decides to cooperate and not confess? How should you respond in future rounds after your teammate confesses?

Exercise Three

- a. The following are claims as to the assumptions made by the prisoner's dilemma. Evaluate each.
- Cooperation produces the best collective option and the second best individual option. This, in turn, assumes that cooperation produces more social welfare than competition.
- Free riding (competing) on the cooperation of others produces the most individual gain (for the free rider) but the second worst collective results. Society suffers losses from the harm done to the trusting, non-confessor and from the overall loss of trust caused by unpunished free-riding.
- Unlimited, pure competition (both prisoners confess) produces the worst collective results and the second worst individual results.
- Multiple iterations of the prisoner's dilemma eventually lead to cooperative behavior. But what causes this? (1) The trust that emerges as the prisoners, through repeated iterations, come to rely on one another? Or (2) the fear of "tit-for-tat" responses, i.e., punishing free riding by responding in kind on future iterations?
- b. Is the Prisoner's Dilemma neutral regarding human nature or does it assume Homo Economicus, namely, that each player is a socially atomistic, rational, self-interest maximizer?

Exercise Four

- Agency theory assumes that cooperation is the best collective strategy but cannot be achieved by relying solely on human nature. This is because agency theory is based on Homo Economicus which holds that each human individual is a self-interest maximizer and is ontologically separate from other individuals and society. In other words, human individuals will seek to maximize self interest unless there are external constraints and incentives that force them toward what is best collectively. The best strategy for corporate governance under this approach is compliance. One identifies rules, monitors conduct, and punishes non-compliance.
- Opposed to agency theory is stewardship theory. While acknowledging that humans are strongly motivated by self interest, they are also equally capable of altruistic, other-oriented behavior. Hence what is required is an integrity approach to corporate governance that works to strengthen altruistic impulses through the development and fostering of trust.
- Write a short essay (or hold a discussion within your group) as to which approach is best. What is the underlying approach to human nature that each assumes. What are the strengths and drawbacks to each approach? Which approach is best supported by what you have learned from playing the Prisoner's Dilemma?

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Value Profile: Integrity

This module is one of several that provides an in-depth examination of the values included in College of Business Administration's (from the University of Puerto Rico at Mayaguez) Statement of Values. It highlights the features of this value, provides a summary table, and uses exercises to reflect on the importance and on the different dimensions of integrity. This module is part of a collection of modules that explores all five values included in the Statement of Values: justice, responsibility, respect, trust, and integrity. It is also developed as part of an NSF-funded project, the EAC Toolkit--NSF SES 0551779 and relates to the ongoing NSF project, GREAT IDEA.

Introduction

(The Stanford Encyclopedia has an excellent article on integrity by Damian Cox, Marguerite La Caze, and Michael Levine. Visit <http://plato.stanford.edu/>)

Integrity has been identified as a core commitment of the University of Puerto Rico's College of Business Administration. Robert Solomon, a virtue business ethicist, has characterized integrity as a meta-virtue whose function is to unify and integrate all the other virtues. Of course, while it is controversial whether integrity is a virtue, it is clearly a value and of great importance in the College of Business Administration's moral perspective.

The Statement of Values, approved in May 2006 by College of Business Administration stakeholders is described there in the following way:

Promote integrity as characterized by sincerity, honesty, authenticity, and the pursuit of excellence. Integrity shall permeate and color all its decisions, actions and expressions. It is most clearly exhibited in intellectual and personal honesty in learning, teaching, mentoring and research.

This characterization has been a source of difficulty for students in Business Administration who frequently confuse it with trust and responsibility. It is also a point of controversy within the College of Business Administration as to whether integrity is a meta or unifying value or whether it is a separate value that stands by itself.

This module will cover integrity by setting forth its different senses or aspects, providing a table that summarizes these different senses, and by offering students a series of exercises that give them an opportunity to reflect on some of the difficulties raised in the literature that discusses this important concept.

What you need to know

1. Integrity has five different senses

1. **Integrity involves integration that brings about unity or wholeness.** A person of integrity over the long haul works to unify and integrate the constituents of character (its different traits) into a single, coherent identity. Among those constituents are emotion, thought, value, commitments, projects, beliefs, and attitudes
2. **Integrity involves consistency** of action across situations and over long periods of time. (For example, this time span could encompass a entire career or even a lifetime). The Milgram experiments pose a special challenge to this sense of integrity; normally decent individuals act immorally in specially constrained situations under direct pressure. These results are cited to undermine the claim that character traits are robustly trans-situational and that integrity as consistency of action across situations is unfeasible as a moral ideal. But a weaker, more likely conclusion is that consistency of action is possible although difficult; it requires rigorous moral training where students practice and come to dominate strategies for resisting the forces that undermine character expression. The Hitachi Report (ref) provides grounds for developing strategies for designing and maintaining a moral career by setting forth the

different organizational environments in which professionals work, how they challenge and constrain moral choice and action, and the different ways in which professionals participate in decision-making. Organizations can be built around different goals depending on whether they are driven by financial, customer, or quality based objectives. Each organizational environment presents different challenges to the professional who would maintain a moral career. Moral education becomes more individualized by helping students to identify the environment in which they will work and then offering strategies and skills particular to each for forging a moral career. Alongside this emphasis on organizational context is a new literature from business ethics devoted to values-based decision-making. For example, Mary Gentile's "Giving Voice to Values: How to Speak Your Mind When You Know What's Right" empowers students to stand up for and advocate moral values; it helps them by presenting procedures for resisting pressures toward wrongdoing. Another factor that promotes consistency is moral courage; this virtue empowers one to act consistently across situations even in the face of daunting challenges and formidable pressures to the contrary.

3. **Commitment:** A person of integrity has a self-system built around moral beliefs and values. This moral content represents identity-forming commitments that express themselves through the choices, actions and projects carried out by an individual. Moral psychologist, Augusto Blasi, shows how integrity results from an educative process where an individual successfully integrates moral values and beliefs into the core of his or her "self-system." Emotions, beliefs, attitudes, etc., provide vehicles for integrating value into the self-system. This process underlies the socialization of students into the non-moral values of a profession through formal and informal education. But Blasi focuses on the integration of moral content into the self-system and how this integration makes moral value a primary motive for action. Having successfully integrated moral value into the central self system, a person of integrity expresses moral value and moral character through his or her choice of action and conduct over a career. In this way, moral action expresses moral character. Conversely, should a moral agent do something wrong, this action goes against character and creates an identity crisis; how does the agent become responsible or own up to action that, because it is immoral, is clearly "out of character?"
4. **A person of integrity is a person of strong and focused conviction.** He or she takes a stand—often a courageous stand—on the side of moral value. This sense of integrity applies especially where moral value is at risk; the person of integrity will stand up to this threat motivated by strong moral commitments, beliefs, and attitudes. This sense is closely related to the commitment sense; a person of integrity has something for which he or she takes a stand and in which he or she strongly believes. The opposite here would be what Martin Benjamin terms the moral chameleon; like a chameleon, this person lacks conviction and changes moral convictions and beliefs to match what dominates the immediate environment. Thus moral chameleon lacks any convictions strong enough to serve as the basis for "taking a stand."
5. **Incorruptible:** This sense is especially important in Latin American countries like Puerto Rico. Corruption has come to represent the unethical and the anti-ethical taken in the broadest sense. Thus, a person of integrity is the opposite of one who is corrupt; integrity points to the manifestly uncorrupt and incorruptible. Moral integrity here implies that the agent's self system is solidly integrated around moral value. She is able to resist forces that threaten the unity of the self from both internal and external sources. Internally, one becomes corrupt by abandoning integration around moral value to impulse, desire, inclination, passion, and appetite. External corruption is generated by strong pressures toward wrongdoing that are generated by the organizations within which we work and live. A supervisor orders one to do something illegal or immoral; a peer steals from the organization claiming that everybody does it; organizational roles cover over one's moral identity and lead one imperceptibly into taking on another persona in which wrongdoing is habitual. One opposes internal corruption by placing moral values in control over impulse, desire, inclination, passion, and appetite. One opposes external corruption by "going to the mat" in defense of moral value; one takes on the role of "giving voice to" moral value and moral considerations in organizational decisions, actions, and policies.

2. Integrity can be understood as a virtue

According to Aristotle, a virtue is “**a state of character concerned with choice, lying in a mean, i.e., the mean relative to us, this being determined by a rational principle, and by that principle by which [a person] of practical wisdom would determine it.**” (From Ross’s translation of the *Nicomachean Ethics* in 1106b, 36.) Characterizing integrity as a virtue emphasizes integrity’s role in the choice of action in specific situations and in achieving consistency in choice of action throughout a professional career and even a lifetime. For Aristotle, moral virtue is characterized by a style of choice and career that consistently and even systematically avoids the vices of excess and defect. Integrity’s vice of excess lies in action and habits that tend toward rigidity and inflexibility; here the agent holds to a position no matter what and does so even in the face of overwhelming evidence to the contrary; such a person falls prey to unreasonableness and irrationality. Integrity’s other vice, its vice of defect, emerges when the individual acts as a moral chameleon, a hypocrite, or a wanton. (Martin Benjamin in *Splitting the Difference* vividly describes the hypocrite and moral chameleon; Frankfurt characterizes the moral wanton as the psychotic whose actions are so inconsistent and unconnected that they express no, underlying, unified character.) Alongside these vices of excesses and defect are the vices of internal and external corruption described just above; internal (psychological) and external (organizational) corruption break down the integration of value, habit, emotion, and belief that characterizes the moral agent.

3. Integrity as a Meta-Virtue, a virtue about the relation between virtues.

Many have characterized **integrity as a special kind of virtue, a meta-virtue**. In this case the subject matter of integrity consists of all the other virtues and how they fit in with one another. A person of integrity finds ways of integrating all the virtues so that she is truthful **and also** courageous, honorable **and also** humble, just **and also** compassionate. While there is nothing in the definition of the individual virtues that leads one to contradict another, in certain situations individual virtues become difficult to integrate. A strong sense of honor may lead one to act or appear arrogant; honor thus takes on the appearance of opposing humility because their integration in this situation is difficult. The fair and impartial judge may appear cold and devoid of compassion when she asserts justice over compassion in her decision. Integrity, because it pertains to all the virtues and to the relation in which they stand to one another, is a **meta-virtue**, one that posits the seamless

4. Ways for building integrity: strong evaluation and aligning first and second-order desires.

- In Charles Taylor’s strong evaluation test, integrity emerges out of an intensive and radical examination of one’s core self. This examination evaluates identity-conferring beliefs, emotions, attitudes, and projects in terms of different moral “horizons.” Taylor’s test is hermeneutical because one can never completely step outside of one’s self when carrying out strong evaluation. Instead, one examines one part of the self using other parts that are kept provisionally outside the scope of criticism and examination. Then one reverses the poles of evaluation; what was formerly the target of strong evaluation now becomes the means of carrying out a new evaluation; and what provided the means of strong evaluation now becomes the target of a new evaluation. Because it is hermeneutical, strong evaluation is never complete; one is continually bootstrapping toward a more thoroughly understood and seamlessly integrated self by working toward higher and higher levels of refinement.
- Frankfurt also provides a test for integrity by distinguishing between first and second order desires. At the first level, I may desire to smoke a cigarette; I have been smoking for quite some time and feel a craving for one right now. Second-order desires evaluate first-order desires; I crave a smoke at the first level but now find smoking undesirable at the second level; second-order desires thus take an evaluative stance toward first-level desires. A new, moral goal has emerged that challenges me to reshape my first-order desires. I work to reduce my craving for a cigarette because I now find cigarettes undesirable; they are harmful, expensive, and annoy my friends. I take special measures to reduce my first order craving to align it with my second order project.

- In Taylor's test, integrity emerges from a continual, intensive, and radical evaluation of my self-system in terms of its central, identity-conferring content. In Frankfurt's test, integrity emerges as second-order desire motivates me to realign first-order desire.

5. Self-Deception, as put forth by Herbert Fingarette, presents an unusually strong challenge to integrity

Fingarette characterizes self-deception as the refusal to avow or acknowledge a part of oneself; one indirectly recognizes this undesirable part of the self but by refusing to "spell it out," one leaves it outside the unity of the self. Thus, self-deception arises from the failure to integrate all the constituents of the self. Furthermore, self-deception is a form of corruption, what Collingwood characterizes as a "corruption of consciousness." One attends to one element in the field of consciousness in order not to attend to another, undesirable element. This project of disattention permeates and corrupts what is attended to. The racist projects the undesired characteristics he disavows for himself upon the targeted group. This hatred of others is really a corrupt form of self-hatred, disguised by projecting the rejected parts of the self onto the external target of racist attitudes. The disavowal of self-deception can never be contained; refusing to integrate the disavowed element with the rest of the self leads to an eventual, overall disintegration of the self. For this reason, self-deception presents a singularly strong challenge to integrity.

Core Meaning or Root Metaphor(1,1)	Description(1,2)	Features(1,3)	Exercises on Integrity(1,4)	Cases(1,5)
Integration,Unity, or Wholeness: a person of integrity unifies character constituents into a single, coherent identity. Components integrated: emotion, thought, values, commitments, projects, beliefs, and attitudes. (2,1)	Integrity functions as a meta-virtue or a meta-value. This means that it prescribes coherence and consistency between the individual virtues of the character or the values that form the core of one's thought and conduct.(2,2)	Vices of excess: (a) rigidity and inflexibility (b) fanaticism or sticking to a position no matter what; (c) unreasonableness; (d)irrationality. (2,3)	Some use Milgram's experiments to argue that situation determines character and action. There are, according to this position, no trans-situational character disposition or traits.(2,4)	Nathaniel Borenstein reformulates and reintegrates his pacifist beliefs (without abandoning them) to help NATO develop a missile launch training program not embedded in the actual launching system.(2,5)
Consistency of action across situations that	Integrity is often characterized as a virtue, that is,	Vice of Defect: moral chameleon, hypocrite, and	Some conclude from Zimbardo's	Jim and the Jungle: Utilitarianism

follows from a fully synthesized and integrated character. The same character trait, disposition, or habit is displayed across different kinds of situations.(3,1)	as an excellence of character, thought, and action. Character is formed around four Cardinal Virtues: Prudence, Justice, Fortitude, and Temperance. (Taken from the Encyclopedia of Catholicism) (3,2)	wanton. (See Frankfurt and Benjamin on these types of defect.)(3,3)	prison experiments that identity dissolves into the role one is playing. The students role-playing in his experiment as prisoners and as prison guards become so lost in their roles that they lose their sense of identity.(3,4)	and Deontology may dictate that one shoot the villager or leave the scene but they do not properly take into account the cost of either action on personal integrity.(3,5)
Commitment: a person of integrity has central beliefs and values to which he or she remains faithful. He or she has something to believe in and thus stands out as a "person of conviction." (4,1)	According to Aristotle, a virtue is "a state of character concerned with choice, lying in a mean, i.e., the mean relative to us, this being determined by a rational principle, and by that principle by which [a person] of practical wisdom would determine it." (From Ross's translation of the Nichomachean Ethics in 1106b, 36.)(4,2)	Vices of Corruption: External--disintegration of organizational, group, or collective integrity or unity(4,3)	Strong Evaluation Test: Is it possible to subject core self to rigorous self-examination? Difficulty: Finding an Archimedean point.(4,4)	George the Pacifist: George does not want to work on a weapons project because it violates his strong, core beliefs in pacifism. But he is unemployed and his wife needs to quit her waitress job to go back to school and be with the children.(4,5)
Incorruptible: The coherence or solidity of one's core self can stand up to disruptive pressures such as extraneous desire or pressure from the outside.(5,1)	As a virtue, integrity is the mean between extremes of excess and defect.(5,2)	Internal Vice of Corruption: Disintegration of individual integrity or unity/cohesion of character(5,3)	Consistency of first with second-order desires: Frankfurt posits the existence of two levels of desire, first/immediate and second/mediate. The gambler gives way to	A Man for All Seasons: Play author, Robert Bolt, presents Thomas More as a paradigm of integrity. Susan Wolf, on the other hand, presents him

			first-order desire to keep on gambling. But second- order desire, opposes the first, and advocates a project to stop gambling. (At which level does the true self arise?) Integrity = aligning first with second order desires. (5,4)	as a religious fanatic. Would More lose his integrity if he signed the oath?(5,5)
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Summary Table on Integrity

What you are going to do.

Exercise I: Does Character Exist?

The following is quoted from Gilbert Harmon’s article, “The Nonexistence of Character Traits.”

Virtue ethicists do not and need not argue that most people are indeed virtuous or could in principle become virtuous' (Athanasoulis, 1999). But if we know that there is no such thing as a character trait and we know that virtue would require having character traits, how can we aim at becoming a virtuous agent? If there are no character traits, there is nothing one can do to acquire character traits that are more like those possessed by a virtuous agent.

Examine each of the premises set forth in this argument.

- Is it the case that there is no such thing as a character trait? (For example, do the Milgram experiments show that character traits displayed in one situation disappear when one enters into a different situation? Does the fact that a significant minority of subjects refused to continue in the experiment provide evidence that it is possible to develop robust character traits or is this just a matter of luck?)
- Does virtue ethics rest on the assumption that there are robust, trans-situational character traits? (Do robust character traits have a basis in nature? Can these be developed by, say, practicing to the point of becoming “second nature?”)
- In other words, does the inconsistency of action across situations displayed in the Milgram experiments undermine the claim that virtue ethics is possible?

Exercise II: Must George sacrifice his integrity to meet his family’s needs?

George is a chemist. He recently received a Ph.D. in this area and demonstrated considerable skill and knowledge in a highly specialized and sought after area of this discipline. But George is also unemployed. His wife has had to quit school and work as a waitress. They have two children and, even though George shares care-giving and domestic duties with his wife, it would be better if his wife could quit her job, go back to school, and have more time to be with her children. Finally, George is a pacifist. Since his expertise in Chemistry has military applications (specifically in the development of weapons in chemical warfare), it is

possible for George to find work but only in positions that go against his pacifist beliefs. George's friend, Antonio, informs him of a job possibility with Mega Weapons, a company whose revenues come primarily from government military defense projects. Antonio can get George an interview with Mega Weapons, and, given the scarcity of people with George's expertise, this interview will probably result in a well-paying job. George however expresses concern with taking on such a job given that it would go against his pacifist beliefs. George is highly committed as a pacifist; these beliefs have been integrated into his core self system.

Questions

- Should George set aside his pacifist beliefs in order to carry out his family responsibilities?
- Under what conditions would setting aside his pacifist beliefs undermine George's integrity?
- By sticking to his pacifist beliefs and refusing to pursue this job opportunity, is George falling into the vice of excess, fanaticism and unreasonableness?
- If George sets aside his pacifism and takes a job with Mega Weapons, does he fall into the vice of defect, namely, does he become a hypocrite or a moral chameleon?

Exercise III: Is there such a thing as unity of character and unity of virtue?

Codes of ethics in engineering enjoin engineers to associate only with individuals of "good character."

- Why is this important? For example, if one associated with individuals of bad character, would this corrupt one's own character?
- Take a field from the following list: engineering, business, government, science, agriculture. What would be the attributes or traits that would designate one as having a good character within this field? What kind of things would one do? What kind of person would one be? Do you know of anyone in your field that you would consider a good character? A bad character?
- Imagine an engineer who exhibits the characteristics that you have used to define an engineer of good character. Now imagine that, even though married with children, this individual had an extramarital affair. Would this additional fact diminish your estimation of this individual as one of good character?
- The view that one must have all the virtues to be good is a position called the "unity of the virtues" and it has been attributed to Aristotle. Is this necessarily true? In order to be a good business person, must one also be virtuous in one's family life? Did President Clinton's affair with Monica Lewinski diminish his performance and integrity as president?

Exercise IV: Saints of Selfhood, Persons for all Seasons, and Dirty Hands

- Robert Bolt's play, *A Man For All Seasons*, portrays Thomas More as a "saint of selfhood." More and several other characters express different modes of selfhood through how they respond to a single, vital political issue of their time.
- Henry VIII took Catherine of Spain as his first wife. To do so he had to receive a special dispensation from the Pope because she was previously married; this previous marriage and the Catholic Church prohibition of remarriage thus created the necessity of receiving special permission from the Catholic hierarchy.
- But after several years of marriage to Henry, Catherine had failed to give birth to a son; Henry became obsessed with the fact that there was still no heir to the throne of England. In the meantime, Henry had fallen in love with Lady Anne Boleyn and wanted to marry her. He felt that Catherine's barrenness was punishment from God for the illegitimacy of the marriage. He was also confident that Anne, who was younger, could bear him a son. Now Henry went to the Pope asking him to "dispense with his dispensation," declare the marriage to Catherine null and void, and give consent to the new marriage to Anne Boleyn. The Pope refused.
- Henry went on with this second marriage in defiance of the Pope. Eventually this led the Church of England to separate itself from the Church of Rome. But Henry's more immediate problem was dealing

with opposition to the marriage arising from English citizens faithful to the Catholic Church and Rome. Henry felt that this opposition represented illegitimate interference in the political affairs of England on the part of outsiders. To ferret them out, Henry demanded that all citizens take an oath of loyalty which affirmed the illegality of Henry's marriage to Catherine, the legitimacy of the marriage to Anne Boleyn, and the acceptance the children she bore Henry as the legitimate heirs to the throne of England.

- A series of larger political and religious issues "telescoped" themselves into this familial problem. (1) What is the relation between the Catholic Church and the State of England? (2) How could Henry's successor be determined and legitimized? (3) How could Henry's succession be planned out so as to avoid civil conflict and civil war? (4) How could conscientious citizens of England reconcile their political obligations with their religious faith? All of this entailed that Henry's oath required all of those taking it to choose between Church and State. If one had integrated religious beliefs into one's self-system, then this choice translated into the alternatives of self-affirmation and self-denial.

Your task in this exercise is to explore the different approaches to integrity taken by four characters in Bolt's play: Thomas More, Thomas Cromwell, Richard Rich, and Thomas Howard, the Duke Norfolk. How does each approach this situation? Does the character's approach preserve or betray integrity? Is preserving integrity compatible with compromises like the one suggested by Norfolk: take the oath and publicly affirm the legitimacy of the marriage while internally and privately denying its legitimacy? How does one preserve integrity and avoid betraying or abandoning one's deepest self as outlined by strong religious and political convictions?

1. Thomas More

- More refused to take the oath. For him, an oath is an especially strong promise, made before God, in which one offers one's very self as guarantee. Accepting Norfolk's proposal, publicly affirming the marriage while privately and internally repudiating it had very real consequences for More that would result in the loss of self, the betrayal of conscience, and the destruction of his "moral compass." As More put it at one point, abandoning one's conscience for the sake of political expedience was the sure road to political corruption and chaos. While Bolt portrays More as a "saint of selfhood," Susan Wolf (in her historical novel on Cromwell) presents him as a religious fanatic, one who would hold to religious dogma even to the point of civil war and social destruction.
- **Question:** Is More a saint of selfhood or a religious fanatic?

2. Richard Rich

- Rich begins as an admirer of More. But he is also ambitious, so when More refused him a political appointment, Rich found a new patron in the Machiavellian politician, Thomas Cromwell. (More did offer Rich a teaching post, but this clearly was not enough to satisfy Rich's political ambitions.) Rich's career advanced nicely through Cromwell's patronage but at a price to personal integrity. To get his first appointment, Cromwell asked Rich to provide incriminating evidence against More. Rich found this betrayal difficult but after pressure from Cromwell, gave in. Cromwell assured him that it will be easier next time. Rich proceeded step-by-step toward the point where he was able to betray More and convict him of treason by perjuring himself as a witness; he falsely testified that More declined to take the loyalty oath for treasonous reasons. More told Rich that he had lost his soul with this lie but Rich eventually rose to the exalted position of Chancellor of England.
- **Questions:** Did Rich betray More? Did Rich abandon integrity for personal gain? Or were Rich's actions an appropriate political response to More's religious fanaticism?

3. Thomas Cromwell

- Thomas Cromwell described himself as a civil servant devoted to the king, whoever he was. Thus his position could be characterized as uncritical loyalty. If the king wished for something, then Cromwell asserted that it was his duty to see to it that he got it. Cromwell's special talent was removing political and bureaucratic obstacles. If his means seemed extreme (he prosecuted More for treason and brought about his execution), Cromwell justified these by the legitimacy of the ends they were meant to bring

about. Henry, for Cromwell, was more than just a man; he was the King of England and his desires could be re-described as the collective and common good of the people of England. Cromwell, thus, sided with the political side of the Church vs. State dispute. He saw his actions as the proper political response to More's religious fanaticism.

- **Questions:** Did Cromwell preserve or abandon integrity through his actions? To what extent do legitimate political ends justify taking extreme administrative measures? Is it necessary to "dirty one's hands" in order to realize social and political goods as well as to avoid political disasters like civil war? At one point, More affirmed that he would like to see England's affairs "governed by prayer." Does Cromwell represent the practical antidote to this utopianism?

4. Norfolk

- Norfolk belonged to the English aristocracy and his family had its own claim to the English throne. Yet, as Norfolk confessed to More, the aristocracy caved in to Henry on the matter of the marriage in order to protect its own position and secure its important position in the English familial hierarchy. Norfolk conceded that Henry was wrong but that this was irrelevant. Because Henry had the power to do what he wanted, it would be useless for the aristocracy to oppose him. They should wait for Henry to die and then assert themselves in the power struggle that would follow his death. If this resulted in civil war, then so be it. In the meantime, More should join the aristocracy and take the oath for fellowship if for nothing else.
- **Questions:** How does Norfolk's position stand in regard to integrity? Consider the values of the English aristocracy: honor, tradition, courage, and fortitude. Did Norfolk remain true to these aristocratic values? Can these values be temporarily set aside in the face of the superior power of one particular aristocratic family, the Tudors?

Imagine a continuum between integrity, on the one end, and insincerity, corruption, and betrayal on the other. Now arrange these characters on this continuum. Who would you consider a saint of integrity? Who do you feel best falls on the opposite end of the scale? Can you invent any strategies for preserving personal integrity in the face of such a polarized political debate?

Works Pertinent to Integrity

From Stanford Encyclopedia of Philosophy

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